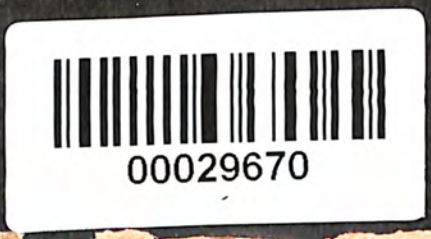
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THE

CONTINUATION

OF

Mr. RAPIN's

HISTORY

OF

ENGLAND;

From the REVOLUTION to the Preſent Times.

By N. TINDAL, M. A.

Rector of ALVERSTOKE, in HAMPSHIRE, and Chaplain of the Royal Hoſpital at GREENWICH.

ILLUSTRATED WITH

MAPS, GENEALOGICAL TABLES, and the HEADS and MONUMENTS of the KINGS.

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THE HISTORY OF ENGLAND.

BOOK XXVI.

From the Year 1692 *to the Year* 1700.

CHAP. I.

Battle of Steenkirk.—Grandval's plot to kill the king.—Affairs in Germany—Hungary—Piedmont.—Hanover made an electorate.—Earthquake.—Young's Plot.—Affairs of Scotland.—Parliament meets—their proceedings—Remarks on them.

1692.

A descent projected into France. Burnet. Burchet.

THE queen was no sooner informed of the victory, but she sent thirty thousand pounds to Portsmouth, to be distributed among the sailors; ordered medals to be struck for tokens of honour to the officers, and caused the bodies of admiral Carter and colonel Hastings to be honourably interred. At the same time a descent into France was projected, and about seven thousand men, that were encamped near Portsmouth, were slipped there, under the command of the duke of Leinster, who embarked on the

1692. Breda. It was intended they ſhould land at St. Malo's, Breſt,
——— or Rochefort. Great matters were expected from this expe-
July 25. dition; but, to the general ſurprize, in a few days intelli-
gence came that all the tranſports were returned to St. Helen's
with part of the fleet. It ſeems, the next day, after the
fleets were joined, admiral Ruſſel, and the reſt of the com-
manders went on board the Breda, where the duke of Lein-
ſter's commiſſion was opened; and on the 28th of July a
council of war was held on board the general, where it was
agreed, that an attempt upon the enemy's ſhips at St. Malo's,
or at Breſt, or at Rochefort, was not then practicable, the
ſeaſon of the year being ſo far advanced. The flag-officers
likewiſe by themſelves came to a determination, "That,
"ſince the land forces were come to the fleet, ſomething
"might have been attempted at one of thoſe places with
"probability of ſucceſs, were not the ſeaſon of the year ſo
"far ſpent, as not to admit of the fleet's going thither with
"ſafety." It was complained, That the earl of Nottingham
being ignorant of ſea-affairs, and not conſulting ſeamen, ſent
orders which could not be obeyed without endangering the
whole fleet. The queen ſent to Portſmouth a committee of
privy counſellors, the lord ſteward, lord chamberlain, the
earls of Nottingham and Rocheſter, and the lords Sidney and
Cornwallis, who having given freſh orders to the fleet, and
conferred with the generals, returned to London. The ſol-
diers, after having lain on board almoſt a month, were, to
ſave the ſhame of landing them again in England, ſent over
to ſerve in Flanders, where they arrived the 22d of Auguſt.
Thus the campaign at ſea, which began ſo glorioufly, ended
but poorly.

The common reflection that was made on our conduct,
was, that providence and the valour of our men had given
us a victory, of which we knew not what uſe to make. What
was worſe, our merchants complained of great loſſes this
ſummer; for the French, having laid up their fleet, let the
ſeamen go and ſerve in privateers, with which they watched
the motions of our trade: And ſo, by an odd reverſe of things,
as we made no conſiderable loſſes, while the French were
maſters of our ſea two years before; ſo now, when we tri-
umphed on that element, our merchants ſuffered moſt. The
concluſion of all was, Ruſſel complained of the miniſtry, and
they complained no leſs of him. The merchants complained
of the admiralty; but they, in their defence, ſaid, that there
were not ſhips and ſeamen enough both to furniſh out a great
fleet,

fleet, and at the same time to send out convoys for securing the trade. 1692.

As to foreign affairs this campaign, though the elector of Bavaria, who, through the influence of king William, had been made governor of the Spanish Netherlands, had put those provinces in a far better state than formerly, yet that did not hinder the king of France from attempting the siege of Namur, one of the strongest places in all those parts, both by its advantageous situation on the confluence of the Sambre and the Maese, and it's good fortifications, but principally a castle built upon a hill in an angle formed by those two rivers. The French king invested the town in person and pursued the siege with such vigour and diligence, that, in four days, he made himself master of all the out-works near St. Nicholas's gate. The garrison, seeing it was in vain to withstand an army encouraged by the presence of their sovereign, surrendered the town upon articles, and retired into the citadel. Foreign affairs. Boyer. Burnet. Siege of Namur. May 15. May 26.

Upon the news of this siege, king William with the confederate army under his command, decamped from Anderleck, marched to Diegom, the next day towards Louvain, and pitched his camp near Bethlem Abbey, from whence he continued his march towards Namur. But, before the king removed, he gave the enemy notice of his late victory at sea by a triple discharge of an hundred and forty pieces of cannon, which were answered by as many vollies of small shot from the two lines of the army. It is reported, that the French king heard this noise with a great deal of unconcern, saying, "Here's a mighty stir indeed about burning "two or three ships!" But in fact the consequence shewed, that it was the unhappiest blow he received during the whole course of the war; for thereby his sea-coasts remained exposed to the insults of the English, the French not being able after this to set out a fleet fit to engage with that of the confederates. May 17.

The duke of Luxemburg, who covered the siege of Namur with an army of seventy thousand men, upon information, that the king of England moved towards the Mehaigne, marched that way likewise, and the two armies, which were almost equal as to number (the confederates not exceeding seventy-five thousand men) advanced in sight of one another, the river only remaining between them. King William possessed himself of all the posts upon the Mehaigne on his side, as Luxemburg did of two villages surrounded with strong hedges and thickets on the opposite bank. But the May 29.

1692. confederates had ſuch an intire command of the river by their batteries, that the ſame evening the king ordered the pontoons to be laid over it, in order to attack the enemy the next day. All things were in readineſs for an engagement, but the ſame night, and the ſucceeding days, the weather proved ſo rainy, that a ſtop was put to his enterpriſe [a]. He tried, by another motion, to raiſe the ſiege; but, the

[a] This circumſtance is confirmed by the following extracts of original letters from James Vernon, eſq; afterwards ſecretary of ſtate, and then in the king's army, to Sir William Dutton Colt, envoy extraordinary at Hanover; which extracts will ſhew likewiſe the motions of the confederate army.

From the camp at Ville on the Mehaigne, the firſt of June, 1692.

"Our army lies ſtill encamped in the ſame place, the low grounds on each ſide of the river lying ſo full of water from the inceſſant rains we have had ever ſince our coming hither, that it is not practicable at preſent to paſs over to attack the enemy.

"The French army lies ſtill in our ſight, though they have removed their camp ſomething backwarder. There were above five hundred ſoldiers, that deſerted from the French on Sunday and Monday laſt; and ſeveral have come away ſince, but not in ſo great numbers ſince the removal of their camp.

"The ſhooting continues ſtill at Namur. The caſtle, we hear, has not yet been attacked, the French playing their batteries hitherto againſt the new fort, where they have made but ſmall advances, ſince we have given them ſo great a diverſion by our being ſo near to them."

From the camp on the Mehaigne, 5th June, 1692.

"We have nothing at preſent very material, the armies lying ſtill in the ſame places. We have had very beaſtly weather almoſt ever ſince our being here; and the rains ſtill continue; which has made a bog of the land on both ſides the river, and deſtroyed moſt of the bridges we had made, ſo that I ſcarce ſee what we have to do here. I am almoſt afraid we ſhall not be able to ſuccour Namur, though the caſtle holds out ſtill with great bravery; and we hear they have repulſed the enemy with loſs, at ſome aſſaults they have given to their outworks; but they may very well be loſt at laſt, whilſt we are kept at this diſtance from them. They, that know the inconveniences of paſſing a river, and through defiles, to an enemy, who ſtand ready to receive them, think this a hazardous piece of work, if the difficulties had not been increaſed by ſo much ill weather. I don't find but the French are reckoned ſuperior to us in horſe by at leaſt fifty ſquadrons; and that they have

not

the town having capitulated ſo early, and the citadel lying on the other ſide of the Sambre, he could not come at it. 1692.

" not fewer foot. If nothing " elſe be to be done, and that " we can ſubſiſt here longer than " they do, we may inconveni- " ence them as they march off. " About two days ago we ſent " out a detachment of forty " ſquadrons, which, I hear, are " gone towards Huy; but I don't " yet know on what deſign. One " would think it were now time " for the confederates to be do- " ing ſomething on the Rhine, " and in Savoy; for it is hard " to have the whole burthen lie " ſo long upon his majeſty."

From the camp on the Mehaigne, 6 June, 1692.

" His majeſty's army and the " French continue ſtill in the " ſame camps. The late rains, " which we are not yet freed " from, have ſpoiled moſt of " the bridges we had made over " the river, ſo that we muſt be " obliged to make them over " again. We hear almoſt con- " tinual ſhooting from the caſtle " of Namur; and we are ad- " viſed by perſons lately come " from thence, that the beſieged " have behaved themſelves with " very great bravery; and that " the place holds out ſtill, hav- " ing hitherto kept the enemy " from making any conſiderable " advance upon them."

From the camp at Ramillies, on the Mehaigne, 8 June, 1692.

" On Monday night late, or- " ders were given for the army " to march next morning. As " ſoon as the French obſerved " our intentions to march, they " put themſelves into a poſture " to do the like; and the armies " were both moving about the " ſame time and the ſame way, " each on their own ſide of the " river, and in ſight one of the " other all the way. His ma- " jeſty brought up the rear of " the army that day, which had " no diſturbance in its march. " The French and we lie again " incamped oppoſite one to the " other; but they are now near- " er to the river than they were " before: and we lie with our " right ſtretched towards Per- " wys.—Our army lies ſtill this " day; and it is yet uncertain, " what we are to do to-morrow, " for the orders given hitherto " importing only, that the troops " ſhould not go out to forage to- " morrow, by that is underſtood, " that every one is to be in a " readineſs to receive what or- " ders ſhall be given.

" Part of the French army " were this morning in motion, " but it proves only in order to " extend themſelves further to- " wards their left wing, that is " near to Mazey and Gemblours; " ſo that their right wing is now " about oppoſite to the middle " of their line.

" This morning his majeſty " was out with ten ſquadrons of " horſe to view the ground as " far as the great woods on this " ſide Perwys.

" This afternoon the earl of " Athlone and monſieur d'Au- " verquerque paſſed the river " towards our right with ſeven " or eight ſquadrons of horſe, " and were near ſome ſquadrons " of the enemy, which brought

1692. The moſt remarkable action, before the citadel of Namur, was the taking of Fort William, which was raiſed by that great engineer Coehorn, and defended by himſelf: The French king, being reſolved to carry this work at all adventures, cauſed it to be aſſaulted; and, though all the efforts of his men proved unſucceſsful, yet they returned to the ſtorm the next day. The beſieged, animated by their commander, made an incredible reſiſtance, repulſing twice the aſſailants with great ſlaughter; but at length the latter, with redoubled numbers, made themſelves maſters of the covered way, and cut off the beſieged from their communication with the caſtle. Coehorn being dangerouſly wounded, the garriſon, who thought themſelves no longer in a condition to hold out, deſired to capitulate; reſerving only ſo much time to themſelves, as to ſend to the prince of Brabançon, governor of the old caſtle, to give him notice of their reſolution, which he readily allowed; and thereupon Fort William, which from this time was called Fort Coehorn, was delivered up to the French.

Fort William taken by the French. June 11.

" up the rear of thoſe that march-
" ed. But his majeſty did not
" think it fit they ſhould charge
" them, there being ſome rea-
" ſon to ſuſpect, that more
" French horſe with ſome of
" their foot might be lying in
" ambuſcade behind a riſing
" ground there adjoining; ſo
" that nothing paſſed, only one
" of their carbineers, firing his
" piece at ſome diſtance, ſhot
" a young gentleman, ſon to
" colonel Boncourt, who was
" aid de camp to major-general
" the marquis de Foreſt. The
" bullet came in by his noſe, and
" paſſed into his mouth without
" going further, ſo that it is not
" doubted but he will recover."

From the camp at Sombreff, 13 June, 1692.

" On the 10th inſtant, about
" four in the afternoon monſieur
" Luxemburg's army began to
" decamp, in order to draw near
" to Namur, and yeſterday our
" army marched about four
" leagues to this place, paſſing
" by that, which was the ene-
" my's camp, while they lay by
" Gemblours. We ſaw the ene-
" my's camp about a league and
" a half diſtant, who lie with
" their left towards Mazey, but
" our right is extended beyond
" them towards Flerus.

" Before we left our laſt camp,
" we had an account, that a
" party of three hundred horſe
" and fifty dragoons, paſſing
" the Sambre at Charleroy, had
" fallen upon a convoy of the
" French between Phillipeville
" and Walcour, going to Na-
" mur; and, after routing the
" enemy, conſiſting of four
" ſquadrons of horſe, they ſeized
" one hundred and thirty wag-
" gons laden with wine, meal,
" and oats, which they deſtroy-
" ed, and brought away two
" hundred horſe, and one hund-
" red head of cattle, with ſome
" priſoners."

The

The conſequence of this loſs was the ſurrender of the citadel of Namur, which, conſidering the ſtrength of the place, and the ſhortneſs of the ſiege, occaſioned ſome reflections on the prince of Brabançon, whom king William is reported to have ſuſpected, and therefore to have deſired the elector of Bavaria to remove from his government of Namur; but, the French inveſting the place before the elector could comply with the king's deſire, without ſhowing any diſtruſt of the prince, his electoral highneſs contented himſelf with ordering the count de Thian to accompany him in this ſiege, with particular inſtructions to obſerve his conduct. But the prince of Brabançon is juſtified by others, who maintain, that he did all that could be expected from a man of honour and courage. 1692. The citadel of Namur ſurrenders June 21.

The taking Namur was reckoned the greateſt action of the French king's life: that, notwithſtanding the depreſſion of ſuch a defeat at ſea, he yet ſupported his meaſures, ſo as to make himſelf maſter of that important place in the view of a great army. On the other hand, king William's conduct, on this occaſion, was much cenſured; for it was ſaid, that he ought to have put much to hazard, rather than ſuffer ſuch a place to be taken in his ſight.

When the citadel of Namur was ſurrendered, the king lay encamped at Melle, where he formed a deſign to ſurprize Mons, which the French took care to diſappoint. From Melle he marched his army to Genap, thence to Noſtre-dame de Hall, and on the 22d of July over the Seine, when he was joined by eight thouſand Hanoverians. But the king of France, contenting himſelf with the glory of having taken Namur, left the command of his forces to Luxemburg [b], who pitched his camp in an advantagious poſt, covered by a wood and thick hedges, between Enghen, and Steenkirk, where king William reſolved to attack him, upon the information of ſome perſons who were thought to underſtand the nature of the ground, though it was found to be a narrower and leſs practicable than the king had been made to believe it was.

Accordingly on Sunday, July the 24th, the army marched early in the morning, the heavy baggage being ordered to repaſs the Seine at Hall. There were ſeveral defiles to paſs, Battle of Steenkirk July 24. Boyer. Kennet.

[b] And returned to Paris after his uſual method. For, according to the old Perſian luxury, he uſed to bring the ladies with him, with the muſick, poems, and ſcenes, for an opera and a ball; on which he and his actions were to be ſet out, with the pomp of much flattery.

and

1692. and the ways to be made, which rendered it a tedious march. However about ten o'clock the prince of Wirtemberg with the van-guard, which conſiſted of four battalions of Engliſh foot, two of Danes, and a detachment of Churchill's brigade, advanced towards the enemy, and fell upon them with ſo much vigour, that he drove them from hedge to hedge; poſted himſelf in the wood, that fronted the right wing of their army, and erected two batteries of cannon on little eminences, one on the right, and the other on the left of the wood. Whilſt theſe batteries were playing upon the enemy, the confederate army marched up to the head of the defile (about half an Engliſh mile from the wood) where it opened in a little plain not above half a league over, which terminated upon the right of the wood, and upon ſeveral rows of high trees planted in great order. Upon the right of this plain there was a farm, which ſoon after the engagement, was ſet on fire by the enemy, to cover by the ſmoke ſeveral of their batteries, that were ordered this way. From the head of the defile, upon the left of the plain, there was a deep hollow way, with high trees and hedges upon the banks of it, which reached as far as the wood, where the van-guard was poſted, and where it branched itſelf into two other deep ways, and going through the wood upon the left to the Danes attack, and to that of the guards; and the other upon the right going along the outſide of the wood. Between theſe two laſt were poſted the regiments of Sir Robert Douglas, colonel Fitz-Patrick, and colonel O Farrol.

When the confederate army was come up to the head of theſe defiles, and juſt entering into the ſmall plain, they were ordered to halt, except the Engliſh life-guards, and horſe and dragoons, and the lord Cutts's, lieutenant-general Mackay's, ſir Charles Graham's, and the earl of Angus's regiments; which being interlined with the horſe, were commanded at the ſame time to the right ſkirts of the wood, whilſt the prince of Heſſe's, colonel Lowther's, and the earl of Leven's regiments, were alſo intermixed with the left wing of horſe, and poſted upon the outſide of the wood. Things being thus diſpoſed, and the army continuing in their halt, the prince of Wirtemberg, after he had cannonaded for above two hours, began the attack with the Danes upon the right, which was immediately followed by the other four Engliſh regiments, that compoſed the van guard, and ſeconded by Cutts's, Mackay's, Angus's, Graham's, Lowther's, the prince of Heſſe's, and Leven's regiments. Never was a more terrible, and at the ſame time more regular, firing heard; for during

during the ſpace of two hours it ſeemed to be continued claps of thunder. The van-guard behaved themſelves with ſo much bravery and reſolution, that though they received the charge of ſeveral battalions of the enemy, one after another, yet they drove them beyond one of their batteries of ſeven pieces of cannon, of which the Danes and the ſecond battalion of the regiment of Engliſh guards poſſeſſed themſelves, and which colonel Whacop, who commanded the Engliſh, would have ſent away, had not the French cut off the traces, and carried away the horſes. Sir Robert Douglas with his firſt battalion, charged ſeveral of the enemies, and beat them off from three ſeveral hedges, and made himſelf maſter of the fourth, when going through a gap to get on the other ſide, he was unfortunately killed upon the ſpot. All the other regiments behaved themſelves with equal bravery, firing muzzle to muzzle through the hedges, they on the one ſide, and the enemy on the other. 1692.

The king being made ſenſible of the difficulties, which the van-guard had to encounter, by one of the prince of Wirtemberg's aids de camp, who had already ſent two meſſengers to count Solms, to no purpoſe, his majeſty diſpatched away count Paulin, one of his aids de camp, with poſitive orders to count Solms, who commanded the main body, to ſend more foot to the prince's aſſiſtance. But count Solms (who is ſaid to have been always envious of the Engliſh [c], and who beſides had a particular jealouſy for the prince of Wirtemberg's commanding the attacks, an honour which he would have had himſelf) inſtead of obeying the king's commands, ordered the horſe to march, and the foot to halt, which proved the loſs of the day. For the ground was ſo ſtrait, and the enemy had ſuch hedges, copſes, and ditches to cover them, that there was nothing to do for the horſe; ſo that, when the van-guard began to engage, they had none but part of the infantry interlined with the left wing of the horſe to ſecond them, the body of foot being almoſt a mile in the rear. However, the king made all poſſible diligence to get the infantry up, ordering a brigade to march to the wood, and forming a line of battle in the plain, with ſuch foot as could come up. The eagerneſs of the ſoldiers to follow their

[c] Biſhop Burnet obſerves, "That this count bore the blame "of the errors committed on "this occaſion. The Engliſh "had been ſometimes checked "by him, as he was much diſ- "guſted with their heat and "pride: ſo they charged all on "him, who had ſome good "qualities, but did not manage "them in an obliging manner." II. 97.

royal

1692. royal leader, and to engage the enemy, was ſuch, that they put themſelves in ſome diſorder, and took more time to form their battalions than could now be conveniently ſpared; ſo that, before they could reach the wood, the vanguard and infantry of the left wing being over-powered by thirty battalions of the enemy, that charged them continually one after another, and by a freſh body of dragoons brought up by Boufflers, they were forced to retreat in great confuſion, and to leave the wood to the enemy's poſſeſſion. The Engliſh life-guards owed their preſervation to the Daniſh foot-guards; and the baron of Pibrack's regiment of Lunenburghers being in diſorder upon the ſkirt of the wood, and the colonel himſelf lying dangerouſly wounded upon the place, ſir Bevil Grenville, who commanded the earl of Bath's regiment, marched up to his relief, receiving the enemies fire before he ſuffered any peloton of his battalion to diſcharge once: by this method he lodged himſelf in the hollow way near the wood, ordered his ſerjeants to carry off the baron of Pibrack, and maintained his poſt till he was commanded to leave it by the prince of Naſſau.

The king, enraged at the diſappointment of the vanguard for want of a timely relief, expreſſed his concern by often repeating theſe words, "O! my poor Engliſh, how they are "abandoned!" Nor would he admit count Solms to his preſence for many months after. And now conſidering that the fight was not to be renewed without endangering the loſs of the whole army, Luxembourg being conſiderably reinforced by Boufflers, and beſides the night drawing on, the king commanded a retreat, which was performed with admirable order, and without any great diſturbance from the enemy, who never durſt engage the Engliſh in the rear.

In this battle the confederates loſt the brave lieutenant-general Mackay [d], ſir John Lanier, ſir Robert Douglas, the

[d] Mackay, being ordered to a poſt that he ſaw could not be maintained, ſent his opinion about it, but the former orders were confirmed; ſo he went on, ſaying only, "The will of the "Lord be done." He was a man of ſuch ſtrict principles, that he would not have ſerved in a war which he did not think lawful. He took great care of his ſoldiers morals, and formed them to be both ſober and juſt in their quarters. He had one ſingular quality: in councils of war he delivered his opinion freely, and maintained it with due zeal; but how poſitive ſoever he was in it, if the council of war overruled it, even though he was not convinced by it, yet to all others he juſtified it, and executed his part with the ſame zeal as if his own opinion had prevailed. Burnet.

earl

earl of Angus, and divers other gallant officers, above two thouſand men killed, three thouſand wounded or made priſoners, and ſeveral pieces of cannon. As for the French, excepting the honour of remaining maſters of the field, they had not much reaſon to boaſt of any advantage, having had the prince de Turenne, the marquis de Bellefonds, the marquis de Villadet, the brigadier Stouppe, the marquis of Firmacon, and ſeveral other officers of diſtinction, and two thouſand private ſoldiers killed, and near as many wounded. Neither had they eſcaped ſo well, had it not been for the chevalier de Millevoix, one of the elector of Bavaria's domeſtics, who had already given, and ſtill endeavoured to give further intelligence to marſhal Luxemburg of the king's motions and deſigns, for which he was hanged on a tree, in the right wing of his majeſty's army. 1692.

The author of the Memoirs of the Reign of Lewis XIV. who is miſtaken in ſtyling Millevoix a ſecretary of king William, ſays, that his correſpondence being diſcovered, he was made to give Luxemburg falſe intelligence, that the confederates would come that day towards the French army to forage: ſo that when the French parties aſſured him that the whole army of the confederates was advancing, he could not be perſuaded of it, till the brigade of Bourbonnois, which poſſeſſed the hill on the right, was attacked. Ch. x.

About the ſame time a more infamous criminal than Millevoix was diſcovered, and deſervedly puniſhed; this was the chevalier Grandval. The occaſion was thus: the king's enemies, being unwilling to wait any longer the uncertain fate of war, laid a deſign to aſſaſſinate him in Flanders, the laſt year 1691. The chevalier Grandval, captain of dragoons in the French ſervice, and Anthony du Mont, upon the promiſe of great rewards, undertook to put this horrid deſign in execution, while the king was at Loo; but miſſing their opportunity, they followed him to his camp in Flanders. From hence Grandval returned to the French army; and Du Mont, according to the orders given him, entered himſelf into the confederate army, that he might take his opportunity, when the king went to viſit the grand guard on the lines; to ſhoot him behind his back, and then make the beſt of his way to a body of horſe that Grandval and Parker ſhould have in readineſs, upon a previous intimation, to reſcue and carry him off. But Du Mont, whatever might be the cauſe, after ſome weeks attendance, went to the court of Hanover, as one that had forſaken the French ſervice, and the project was laid aſide for that year. The king of France had

Grandval's plot to murder the king. Boyer. Burnet. St. Tr.

1692. had loſt two miniſters, one after another; Seignelay died firſt, who had no extraordinary genius, but he knew all his father's methods, and purſued them ſo, that he governed himſelf both by his father's maxims and with his tools. Louvois did not long ſurvive him: he had more fire, and therefore grew uneaſy at the authority Madam de Maintenon took in things ſhe could not underſtand. By this means he at length was ſo unacceptable to the king, that once, when he flung down his papers upon the floor before him, upon ſome provocation, the king lifted up his cane, but the lady held him from doing more. This affront, as was given out, ſunk ſo deep into Louvois's ſpirits, that he died ſuddenly a few days after: ſome ſaid, of an apoplexy; others ſuſpected poiſon; for a man that knew ſo many ſecrets, would have been dangerous, if he had out-lived his favour. His death happened juſt after the project was laid for killing the king, a memorandum of which was found among his papers, by his ſon the marquis of Barbeſieux, who had the ſurvivance of his place, and continued in it ſome years; but, as he was young, ſo he had not a capacity equal to the poſt. He reſolved to purſue the project of the aſſaſſination, in which madam de Maintenon concurred, and Luxemburg was truſted with the direction of it. Du Mont having, in the winter, at Hanover, from ſome diſcourſes and practices of his, raiſed a ſuſpicion, ſir William Colt, the king's envoy there, gave notice of it. Upon which one Leefdale, a Dutch papiſt, was ſecretly ſent to Paris as a perſon that would enter into the deſign, but in reality went on purpoſe to diſcover it [e]. Grandval and he came back to Flanders in the ſpring, to ſet about it, whilſt

[e] Biſhop Burnet informs us, that monſieur Morel of Berne, the famous medaliſt (who had for ſome years the charge of the French king's cabinet of medals, but being a proteſtant, and refuſing to change his religion, was kept a cloſe priſoner in the Baſtile for ſeven years) was ſet at liberty in April this year. And, before he left Paris, his curioſity led him to St. Germains, to ſee king James. He happened both to go and come back in the coach with Grandval; and while he was there, he ſaw him in private diſcourſe with king James. Grandval was full of his project, and, according to the French way, talked very looſely to monſieur Morel, not knowing who he was, but fancied he was well affected to that court: he ſaid there was a deſign in hand, that would confound all Europe; for the Prince of Orange (as he called king William) would not live a month. This Morel wrote over to biſhop Burnet in too careleſs a manner, for he directed the letter with his own hand, which was well known at the French court; however his letter came ſafe. II. 96.

king

king James was preparing to invade England. In caſe this invaſion failed, the French king did not queſtion but all his deſigns would be accompliſhed by the king's aſſaſſination, to which he chiefly truſted. But Leefdale, as he was going with Grandval from Antwerp to Eyndhoven, brought him into a party that ſeized him, and carried him to Boiſleduc. He was afterwards tried by a court martial, and ſentenced to be hanged, drawn, and quartered. When he found that Du Mont, as well as Leefdale, had made a diſcovery of the affair, and that there was full proof againſt him, he confeſſed the whole ſeries of the management without ſtaying to be put to the torture. The king gave orders that none belonging to him ſhould go near Grandval, that there might be no colour for ſaying that the hopes of life had drawn his confeſſion from him, nor was he ſtrictly interrogated about the circumſtances, but was left to tell his ſtory as he pleaſed, which he did in the following manner, as it is related in the ſentence paſſed upon him by the court martial, of which the earl of Athlone was preſident[f]. 1692.

Sentence againſt Grandval. St. Tr. II. 281.

Whereas Bartholomew de Liniere, knight, ſieur de Grandval, born at Liniere in Picardy, aged about forty-three years, and now a priſoner, hath confeſſed before the grand court martial, without any conſtraint by pain, or being in irons; and it farther appearing to the ſaid court martial, that the late marquis de Louvois, in his life-time ſecretary of ſtate to the French king, in the year 1691, entered into an agreement with one Anthony du Mont about the murder of his majeſty, William III. king of Great Britain, etc. and that the ſaid Du Mont had framed a project, ſetting forth in what manner that deſign might be executed; that he delivered the ſaid project to the ſaid marquis de Louvois: that the priſoner, ſome time before the marquis de Louvois's death, aſking his leave to go ſomewhere elſe, was ordered by the

[f] The reſt of the court martial:

Lieutenant-general Scravenmore.
Lieutenant-general Talmaſh.
The marquis De la Foreſt.
Monſieur de Weede, Count Noyelles, } Majors general.
Monſieur Zobel, Colonel Churchill, Colonel Ramſey, } Brigadiers general.
Cornelius Von Won, Richard Elthwayte, } Judge Advocate.

ſaid

1692. ſaid marquis not to go away, for that he had ſome buſineſs of conſequence to employ him in, which the priſoner ſuppoſes to have relation to the ſaid deſign; but, the marquis de Louvois dying ſome time after, there was no further progreſs then made in the ſaid deſign.

That the marquis de Barbeſieux, ſon of the ſaid marquis de Louvois, as alſo ſecretary of ſtate to the French king, having, five days after his father's death, found the ſaid project, together with a warrant for thirty piſtoles to be paid to the ſaid Du Mont, among his father's papers, the ſaid deſign was revived again, and the thirty piſtoles were paid accordingly. That the priſoner contracted acquaintance with Du Mont at monſieur Rabenac's houſe, where monſieur Paparel, paymaſter-general to the French king's armies, ſaying one day to monſieur Rabenac (the priſoner being preſent) that if they had a mind to ſeize the king of England, Du Mont would be a fit perſon for it, Du Mont replied with execrations, that he would carry off his majeſty alive or dead, as he had promiſed to monſieur de Louvois.

That, Du Mont having delivered the ſame or the like project to monſieur de Barbeſieux, the priſoner, to promote the ſaid deſign, had ſeveral conferences with monſieur Barbeſieux and monſieur Paparel; in one of which monſieur Barbeſieux told the priſoner, that he ſuſpected his father was poiſoned by order of the prince of Orange (meaning his preſent majeſty of Great Britain) and therefore he would be revenged on him. That monſieur Barbeſieux told the priſoner in another conference, that he ſhould give Du Mont notice, that his majeſty of Great Britain wore a coat of mail; which the priſoner acquainting Du Mont with, he anſwered thereupon, "It is no matter, I'll kill him for all that." That Barbeſieux had ſaid further, he would not ſpeak himſelf with Du Mont, fearing he might be taken priſoner; and if he ſhould happen then to name him, it might make a great breach in his fortune.

That the priſoner was engaged with one Parker, a colonel belonging to the late king James, to put the ſaid deſign in execution; and that Parker told him he had formed the ſaid deſign with the late marquis de Louvois.

That at laſt the priſoner, with the ſaid Barbeſieux, Paparel, Parker, and Du Mont, agreed upon the manner of executing the ſaid deſign; viz. that the priſoner and Parker ſhould meet at the grand guard of the duke of Luxemburg's army, where they were to have fifteen hundred horſe: that Du Mont ſhould go to the king of England's army, and

watch the time, when his majeſty went to viſit the grand guard; and at the ſame time he was to ſhoot his majeſty: that the priſoner and Parker with fifteen hundred horſe were to reſcue and bring him off, the ſaid Du Mont giving timely notice to the priſoner of the intended execution. That, Barbeſieux giving the priſoner orders to accompany Du Mont to Menin, he gave him at the ſame time an order to the duke of Luxemburg for furniſhing the priſoner with ſuch a detachment of horſe, as he ſhould require, and think neceſſary for the deſign. 1692.

That the priſoner, by monſieur Barbeſieux's order, received of monſieur Paparel eighty louis d'ors; and, purſuant to monſieur Barbeſieux's directions he gave to Du Mont fifty-five louis d'ors out of that ſum; viz. fifteen piſtoles in ſpecie, and a bill of Exchange for four hundred and ſixty livres French money to be paid at Ghent. That the priſoner accordingly left Paris the 11th of September 1691, and went poſt with Du Mont to Menin: that he defrayed the whole charge of the journey: that Du Mont acquainted him on the way, that monſieur Barbeſieux had promiſed him an annual revenue of twenty thouſand livres, and to make him a knight of the order of St. Lazarus, in caſe the deſign took effect: that the priſoner, coming to Menin, went to the governor monſieur Pertuis, as he had been directed by monſieur Barbeſieux, and obtained of him a paſſport for Du Mont, who parted immediately for Ghent, promiſing the priſoner, that according to their agreement he would ſend to him at the grand guard: that the priſoner thereupon went to the duke of Luxembourg's army, and he and Parker continued at the head of the grand guard till the day before the rencounter at Leuze, without hearing from Du Mont.

That, Du Mont going to Hanover, the priſoner had kept a conſtant correſpondence with him about executing the ſame deſign at ſome other opportunity. That the priſoner communicated what letters he received from Du Mont to monſieur Barbeſieux, who gave him directions what anſwer he ſhould return. That the priſoner reſolved with monſieur Barbeſieux, that the deſign ſhould be executed this campaign, anno 1692, which had failed the laſt. That the priſoner had taken ſome meaſures concerning the ſame with monſieur Chanlais, quarter-maſter general to the French king.

In the mean time one Frederic Aelbreyt Leefdale, heretofore captain-lieutenant of a troop of dragoons, in the ſervice of the high and mighty ſtates-general of the United Provinces coming to Paris, was brought acquainted with the priſoner by the means of one Sterck. That the priſoner, having

1692. contracted an intimate familiarity with the ſaid Leefdale, diſcovered the ſaid deſign to him towards the latter end of March laſt 1692, telling him, that an officer, who would ingratiate himſelf in the king's favour, muſt venture at ſomething of conſequence: that he, the priſoner had concerted the execution of a deſign, upon which his fortune depended: that it was indeed a matter not without hazard, but, the greater the difficulties were, the more would be the honour; encouraging Leefdale to be concerned in it. And, the ſaid Leefdale ſhewing a readineſs to comply with him, the priſoner opened himſelf with greater freedom, and told him, that he was engaged laſt campaign with one Du Mont to aſſaſſinate the king of Great Britain, but it had no effect, by reaſon of his majeſty's leaving the army ſo ſoon; but it was reſolved again to put the ſame in execution this year. That Du Mont by many repeated oaths had ſworn he would do it; yet he, the priſoner, feared, that, if he were not preſent, Du Mont would not ſo exactly obſerve his orders, and therefore he was reſolve to go along with Du Mont, aſking Leefdale, if he would be of the party; who anſwering, that he would, the priſoner diſcourſed to him at large of all the particulars concerning the deſign, and afterwards brought him to monſieur Barbeſieux and Chanlais.

That Chanlais, in one of the conferences held upon that ſubject, told Leefdale, the priſoner being by, that a great reward ſhould be given him, the buſineſs ſucceeding: that Barbeſieux and Paparel had both of them knowledge of the promiſed rewards.

That he, the priſoner, with the ſaid Leefdale and colonel Parker, went to St. Germains on the 16th of April 1692, to ſpeak with the late king James about the ſaid deſign, who had knowledge of it; and to take leave of him before they began their journey. That the priſoner had audience at the ſame time of the ſaid king James, the late queen being preſent; king James telling him, "Parker has given me an "account of the buſineſs: if you and the other officers do me "this ſervice, you ſhall never want." And Parker, the priſoner, and Leefdale entered into a diſcourſe about this deſign.

That Du Mont's wife delivered to monſieur Barbeſieux ſeveral letters, which ſhe received from her huſband, whilſt he was at Hanover; and, the priſoner continuing his correſpondence with him all that time, he engaged Du Mont by letters, eſpecially thoſe dated the 20th, and 25th of April, and the 12th of May laſt, to come from Hanover to a rendezvous at Aden in the country of Raveſtein, in order to take

take a final reſolution with the ſaid priſoner and Leefdale concerning the manner of executing their deſign; the priſoner preſſing Du Mont to haſten his journey, for fear the king of England ſhould have occaſion to repaſs the ſea; the priſoner adding withal that he ſhould be mad, if he failed in his buſineſs. 1692.

That the priſoner with Chanlais and Leefdale, were agreed in what manner the aſſaſſination ſhould be committed on the perſon of his majeſty, viz. That when the king ſhould ride along the lines, or ſhould go out to take any view; or when the army ſhould decamp, Du Mont ſhould lie in ambuſcade, and, when his majeſty ſhould paſs within an hundred paces of him, he ſhould then fire upon the king. That Chanlais to whom notice was to be given before of the time, ſhould be with three thouſand horſe at the duke of Luxemberg's grand guard. That the priſoner had told Leefdale, that there would be no danger for him, ſince Du Mont had a ſecret to charm people's eyes; and at all adventures they two would keep with thoſe who followed the king; and when every body was purſuing Du Mont, they ſhould have time to eſcape and ſave themſelves, and carry the account to monſieur Chanlais; and it little concerned them, whether Du Mont ſhould be taken or not, provided they could eſcape themſelves. That the priſoner and Leefdale received their laſt orders from Chanlais, who told them he was going to Mons, and that they ſhould ſtay for him there.

That the priſoner and Leefdale went from Paris the 17th of April laſt, and arrived a few days after at Mons, having waited ſome time for monſieur Chanlais's arrival; and, finding he did not come, they reſolved to go forward to the rendezvous by the way of Bruſſels. That the priſoner, as they were travelling on the way told Leefdale, that, their deſign taking place, the alliance among the confederate Princes would be broken; that the princes concerned would each of them recall their troops; and, the country being thereby left without ſoldiers, the king of France would eaſily make himſelf maſter of it, and king James would be reſtored again.

That the priſoner with Leefdale went to the Mayor of Boiſleduc, and was apprehended at Eyndhoven [g].

Grandval

[g] It will be proper to ſubjoin here ſome extracts of original letters from James Vernon, eſq; then attending the king in Flanders, to ſir William Dutton Colt, envoy extraordinary at Hanover, relating to Grandval and his deſigns.

1692. Grandval was executed in the camp, on the 13th of Auguſt 1692. He ſuffered with ſome ſlight remorſe, for going into a deſign to kill a king. But, how black ſoever his confeſſion repreſented the court of France, no notice was taken of

Sentence againſt Grandval. St. Tr. II. 281.

From the camp at Genap, July $\frac{11}{21}$, 1692.

"The three priſoners who "were ſecured at Boiſleduc, being engaged in a deſign againſt "the king's perſon, were brought "to the army on Friday laſt, "and are in the provoſt's hands, "in order to the trial of ſome "of them. Their names are "the chevalier Grandval a "Frenchman, Du Mont a Walloon, and the Baron de Leefdale a Dutchman.

"Becauſe you have had ſome "part in the late diſcovery, I "will be a little more particular "about theſe three perſons. "Grandval is kept in irons, "and is the perſon, that will "be immediately tried. Du "Mont, that came from your "parts, is in the ſame houſe "with him in the cuſtody of the "provoſt, but not in the ſame "room. He is not chained "but is only guarded by three "or four ſoldiers. I have not "ſeen him, but I hear he ſpends "the day in ſmoking and drinking, and ſeems very deſirous "to ſpeak with my lord Portland. I know not whether "he will be gratified in it; but, "by what I can hear, I am apt "to believe, he may have ſomething more to ſay than what he "owned at Hanover; and I "like him never the better, for "being ſo long before he brings "it out, eſpecially ſince he had "thoſe opportunities of doing "it both to the duke of Zell "and yourſelf. It is well for "him he was ſo early in the "diſcovery (though he might "have been quicker in it too) "for, God be thanked, the "treaſon would have come out "by hands, that were not ſo "deeply engaged, as his ſeem "to be, which I think I may "gueſs by the Baron de Leefdale's being as it were at liberty."

From the camp at Genap, July $\frac{14}{24}$, 1692.

"The general officers appointed to conſtitute a court-"martial (whereof the earl of "Athlone is preſident) for the "trial of the chevalier Grand-"val, met yeſterday for the "firſt time, in order to ſettle all "things relating to that trial."

From the camp at Genap, July $\frac{18}{28}$, 1692.

"The general court-martial "is ſtill ſitting upon the trial of "the chevalier Grandval. On "Friday and Saturday laſt his "examination was taken, and "it remains now only, that the "witneſſes be confronted with "him."

From the camp at Lembeck, $\frac{\text{July } 28,}{\text{Aug. } 7,}$ 1692.

"I have the favour of your's "of the 18th inſtant; in anſwer "to which I muſt acquaint you, "that theſe greater matters [the "battle

of it: Nor did any of that court offer to diſown or diſprove it, but let it paſs and be forgotten. Yet ſo blind and violent was their party in England, that they reſolved they would believe nothing, that either blemiſhed king James, or the French court. 1692.

After

" battle of Steenkirk] interven-
" ing, have put a ſtop to the
" proceſs of Grandval, which
" oth rwiſe would have been
" finiſhed; and now three of the
" judges are diſabled from at-
" tending, viz. lieutenant-ge-
" neral Mackay, who is killed;
" and lieutenant-general Lanier
" and Tette au are both wound-
" ed; ſo that I know not whe-
" ther it will not be requiſite
" to fill up their number. As
" for Du Mont, I cannot but re-
" peat it again, that he is very
" fortunate to be favoured with
" the patronage of ſo great a
" prince, the conſideration of
" whom will certainly outweigh
" the ingenuity of his diſcovery
" and confeſſion, which I won-
" der ſhould not be more ſin-
" cere, ſince nothing could have
" better become one in his cir-
" cumſtances. I am afraid, it
" is too partially ſaid in his
" favour, that Leeſdale con-
" cealed the t eaſon for a year,
" for there is no manner of
" footſteps by any thing, that
" has appeared, that Leeſdale
" was let into the buſi eſs till
" laſt ſpring, and he diſcovered
" it as ſoon as ever he got
" Grandval out of Fra ce, if
" not before; and both their
" diſcoveries ſeem to be ſo near
" the ſame time, that I hink it
" hard to ſay, which m de it
" firſt. But I am confident the
" difference in time was ſo little,
" that neither of them could
" have notice what the other
" inte de, if there had been
" any bo y, that would have
" meddled to give the advice.
" As for what you write a-
" bout my lord Portland's
" ſpeaking with Du Mont, I
" believe his lordſhip will hard-
" ly think it fit for him to make
" ſuch a viſit, unleſs Mr. Schutz,
" who has ſeen him, ſhould ſa-
" tisfy his lordſhip, that it was
" for the king's ſervice, which,
" by any thing he has hitherto
" ſaid in public, I do not ſee
" any reaſon to believe. Some
" men are naturally myſterious;
" ſome are ſo through igno-
" rance, and ſome through guilt,
" and are loth to appear in their
" own colours, as long as any
" cover s to be found. Which
" of theſe be longs to this gen-
" tleman, I am not well enough
" acq ainted with him to de-
" termine."

From the camp at Lambeck, Aug. $\frac{1}{11}$. 1692.

" Grandval's trial lay ſilent all
" laſt week, three of the court-
" martial bei g killed or wound-
" ed, viz, the lieutenant-gene-
" rals Mackay, Lanier and Tet-
" tau; but, their places having
" been ſupplied ſince by major-
" general Scravenmore, and
" brigadiers Churchill and Ram-
" ſay, this day the trial was
" made an end of, Grandval in
" a manner confeſſing all the
" articles

1692. After the action at Steenkirk, there was little done this campaign. The Engliſh forces that landed at Oſtend, in Auguſt under the command of the duke of Leinſter, being joined by a detachment from the army, poſſeſſed themſelves of Furnes

The end of the campaign in Flanders. Burnet.

" ticles of his accuſation. I be-
" lieve it will not be long be-
" fore he is executed. If you
" have any concern for Du
" Mont, I can ſatisfy you, that
" he is not tried at preſent, and
" I do not know there are any
" intentions to do it."

From the camp at Lembeck, Aug. $\frac{4}{14}$, 1692.

" The chevalier Grandval be-
" ing found guilty on Monday
" laſt by the court-martial, chief-
" ly upon his own confeſſion,
" for having conſpired againſt
" the life of his majeſty, he
" was executed yeſterday morn-
" ing in the camp, according to
" the ſentence pronounced a-
" gainſt him, for his being
" hanged, drawn, and quartered.
" A relation of the proceedings
" is ordered to be forthwith
" printed.

" As to what you would be in-
" formed in, you will have it ſo
" ſoon in print from Holland,
" that it will not be worth while
" to tell it you before hand,
" ſince it would fall ſo far ſhort
" of the relation you have to
" expect. However, for your
" preſent ſatisfaction, I muſt tell
" you, that Barbeſieux, Chan-
" lair, and Paparel will be
" noted with infamy, for the
" part they have had in ſo villai-
" nous a deſign; and when you
" ſee the printed account, pray
" compare it with what you re-
" member of Du Mont's diſ-
" covery, whilſt he was at Ha-
" nover; and by that judge of
" the ſincerity and ingenuity of
" his confeſſion.

" Grandval died with what
" may be called great courage
" or ſtubbornneſs. He ſaid
" nothing at the gallows, but he
" left monſieur Barbeſieux a le-
" gacy, that will ſtick by him,
" having the ſame morning, be-
" fore he went to execution,
" writ a letter to a friend of his
" at Paris, deſiring, that mon-
" ſieur Barbeſieux ſhould be ac-
" quainted by the archbiſhop of
" Rheims, that he loſt his life
" for having obeyed his orders;
" which you ſee publiſhed at
" large, with many more par-
" ticulars, that I have not time
" to mention."

From the camp at Ninové, Aug. $\frac{14}{24}$, 1692.

" I have received this day
" the favour of your's of the
" 5th. By the account you give
" of the manner, in which Du
" Mont made his firſt diſcovery,
" it is plain how little ingenuity
" there is in the man, who, in
" his firſt confeſſion taken at
" Boiſleduc, mentions none but
" the duke of Zell, to whom,
" he ſays, he diſcovered the buſi-
" neſs, as ſoon as ever he had
" received Grandval's letter of
" the 20th of April, and had
" the duke's leave to write an
" anſwer, that he might draw
" more letters from Grandval.
" But whatever he wants of ho-
" neſty, he has cunning enough

" to

Furnes and Dixmuyde, which they began to fortify, and putting the country about them under contribution, became very uneaſy neighbours to Dunkirk. The command of theſe places was given to count Horn, who underſtood well the way 1692.

" to know what will be of moſt " uſe to his purpoſe. I believe " he would have ſecured his " life either way; and it would " have been yet leſs in hazard " by a more open and frank " confeſſion. I ſuppoſe it will " be thought fit he ſhould un- " dergo a trial, for the juſtifica- " tion of his majeſty's proceed- " ings throughout this whole " buſineſs."

From the camp at Gram- mon, Aug. 31, 1692.

" As to the buſineſs of Du " Mont, I think that is now " over, upon his ſending a pe- " tition to his majeſty, in which " he owns his guilt, and im- " plores his majeſty's mercy as " to life, upon the account of " his being one of the firſt diſ- " coverers, ſubmitting himſelf " to be diſpoſed of as his ma- " jeſty ſhall think fit, in any " place of ſafety, and begging, " that care may be taken of his " ſubſiſting there. Which pe- " tition being referred to the " council of war, that ſat upon " Grandval, for their opinion, " they have recommended him " as an object of mercy, on ac- " count of his diſcovery, and " coming hither to teſtify what " he knew of this buſineſs; ad- " viſing withal his being kept " ſafely in ſome ſecure place " with a maintenance, that " others may be encouraged by " this example rather to rely on " the king's clemency, than per- " ſiſt in their damnable deſigns. " So you ſee by this proceeding, " regard has been had to any " promiſes, that might have " been made him in Germany " upon his firſt diſcloſing the " buſineſs; which yet I think " he might then, and ſince, " have made more fully than he " did."

The letter which Grandval writ the morning before his execution, was as follows:

Du camp de Halle ce 13, Aout 1692.

Mademoiſelle,

" Je vous prie d'aller trouver " monſieur L'archevêque de " Rheims, avec monſieur Jour- " dud, & faire connoître au dit " ſigneur Archevêque qu'il m'en " coûte la vie pour avoir obeï " aux ordres de monſieur de " Barbeſieux, c'eſt la grace, que " vous demande,

Votre Serviteur, De Grandval.

" Voyes monſieur le marquis " d'Arſy, qu'il contribue a faire " prier Dieu pour moy.

" A mademoiſelle Juré, Riſe " Trevelle, vis a vis de la Rue " des deux Eſcus, pres de l'Ho- " tel de Soiſſons, a Paris.

From the camp at Hall, Aug. 13, 1692.

Madam,

" I pray you to go to the arch- " biſhop of Rheims, with mon- " ſieur

1692. way of making all poſſible advantages by contributions, but was a man of no great merit, and of as little courage. This diſguſted the Engliſh ſtill more, who ſaid, that the Dutch were always truſted and preferred, while themſelves were neglected.

" ſieur Jourdu'l, and to let the " ſaid archbiſhop know, that it " coſts me my life for having " obeyed the orders of monſieur " de Barbeſieux, which is the " favour deſired of you, by,

Your ſervant,

De Grandval.

" Speak to monſieur d'Arſy, " that he take care I be prayed " for.

" To Madam Juré in Treville " Street, over-againſt the " ſtreet of the Two Crowns, " near the Hôtel of Soiſſons " at Paris."

Upon occaſion of this letter, it will not be improper to take notice of a paſſage, that happened ſome days before Grandval's condemnation. A perſon diſcourſing with him in priſon, and obſerving he endeavoured to juſtify himſelf upon the orders, which he had received from the marquis of Barbeſieux, he told him, that, though this was in itſelf a very weak excuſe for being engaged in a baſe action, yet ſtill it might prove ſo much the worſe, as that it was like enough that monſieur Barbeſieux would diſown his having given any ſuch orders, or that he was any way concerned with him in a buſineſs of this nature. To which Grandval replied, " Let " him deny what he pleaſes; " yet, if I were put upon it, I " would make it appear very " plainly; for I have an origi- " ginal paper under monſieur " Barbeſieux's own hand, which " I have lodged with a friend " of mine, who will not part " with it to any one but myſelf, " and nobody elſe knows with " whom I have entruſted it." State Tr. II. 284.

Soon after the diſcovery of this ſhocking attempt, there was publiſhed a piece, intitled, Reflections upon the late horrid conſpiracy contrived by ſome of the French court to murder his Majeſty in Flanders, and for which monſieur Grandval one of the aſſaſſins, was executed: the author of which obſerves, that, beſides the French king himſelf, ſome of the greateſt perſons in France were privy to the deſign, viz. monſieur Louvois, and his ſon Barbeſieux miniſters of ſtate; the duke of Luxemburg, marſhal and peer of France, and general of the French army; monſieur Rabenac and monſieur Bedal, embaſſadors; monſieur Paparel and monſieur Chanlais, employed in ſome of the greateſt poſts of the army; madam Maintenon, the French king's miſtreſs. He remarks likewiſe, " that the carriage of the French " court in this affair towards " the late king James is a maſ- " ter-piece of craft and treachery. Here it is, adds " he, that it were almoſt to " be wiſhed, that there were a " curtain drawn over that part

elected. They had ſome colour to cenſure this choice the following winter, for, upon the motion of ſome French troops, the count (without ſtudying to amuſe the enemy, or to gain time, upon which much may depend in winter) immediately 1692.

" of the ſtage, where this unfortunate prince comes to act ſo unnatural and ſo frightful a part. That any one, that ever filled the Engliſh throne ſhould be capable of ſo unprincely a revenge as murder, is a very mortifying reflection, and leads us naturally to look back to ſome ſhrewdly ſuſpected events that have fallen out in England of late years, which for ſome reaſons are not now to be inſiſted on. As, in moſt of the tranſactions of this prince's reign, he was impoſed upon by the French king's deſigns, and gave himſelf up to the meaſures given him from France, which proved his ruin; ſo now, when under their protection, they bring him in to cover and own a tranſaction ſo baſe and horrid, that the French king had not the face to appear in it himſelf. They ſo ordered the matter, that Grandval, Parker, and Leeſdale ſhould wait upon king James, and receive his approbation of the thing, with promiſes of encouragement; and this is not done till the whole deſign had been fully concerted beforehand. It was fit the murder of the king ſhould paſs in the world as a perſonal revenge of king James, and that the French court ſhould lay it upon the quarrel betwixt thoſe two princes; though at the ſame time they had the chief hand in the contrivance of it, were to reward the inſtruments employed in it, and were to reap the greateſt advantages by it. Whether that unfortunate prince was ſenſible of this trick put upon him, or whether his eager deſire to ſee the king taken off, gave him no leiſure for reflections, it is hard to determine. This is clear, that he thought himſelf no ways obliged to uſe the precautions, that even Barbeſieux had done, ſince that after his ſpeaking to Grandval, according to the words in the printed account, "he was pleaſed to entertain Parker, Leeſdale, and him, all together, on the ſame ſubject; for in the French copy it is ſaid, "Qu' alors il a auſſi parlè avec le dit Parker & Leeſdale de cette affaire: at the ſame time he (meaning king James, and not the priſoner Grandval, as in the Engliſh tranſlation) ſpake likewiſe to Parker and Leeſdale about that affair. The treachery of the French court towards king James in this buſineſs is deep and black.

"All the world lays his ruin at the French king's door; and it is to the meaſures he gave him, that he owes the loſs of three crowns. The leaſt amends could be made him for all this, was an honourable retreat in France; yet that this

" is

1692. mediately abandoned Dixmuyde. All he had to juſtify himſelf was a letter from the elector of Bavaria, telling him, that he could ſend him no relief; and therefore ordering him to take care of the garriſon, which was of more importance than

" is granted him only on the account of their own intereſt, " appears in a great many inſtances, and particularly in " the part they bring him in to " act in this conſpiracy. If " there had been true friendſhip " and kindneſs meant him, they " would never have put him upon a neceſſity of making himſelf known in ſo foul a deſign " to three perſons all at once, " but would have at leaſt allowed him the precautions, " that Barbeſieux, if not the " very ſame, that one of his " own rank, thought himſelf obliged to obſerve. But this " is not all; in bringing king " James to own this buſineſs, " the French court did him the " laſt offices of an enemy. Inſtead of promoting his re-acceſſion to the throne, they did " more at one daſh to ſhut it " for ever againſt him, than all " that his enemies could have " thought of. With what horror muſt the Engliſh nation " have been ſtruck, to ſee a " prince, that had recovered " them from the brink of deſtruction, and expoſed his perſon ſo often for their ſake; to " ſee him, I ſay, murdered by " the bloody hand of a ruffian! " and with what execrations and " cries for vengeance againſt " both actors and contrivers of " ſuch a villany! Could the " French ever imagine, that the " way for king James to regain " the hearts of the three kingdoms which he had loſt by " his endeavouring the ſubverſion of their laws and liberties, was to hire three parricides to murder the only perſon, that had ſecured theſe to " them?" The author afterwards informs us, that the jacobites in England were at that time in great expectation of a revolution in their favour. " At " the ſame time, ſays he, that " Grandval and Leeſdale take " their journey from Paris to " Flanders, Parker comes over " to England. We have all the " reaſon to remember the great " hopes our malecontents expreſſed here at that time, and " how ſure they ſeemed to be " of ſome new revolution. It " is true, theſe people are eaſily " buoyed up on the leaſt appearances; and every ſmall " accident, that ſeems to favour " their cauſe, raiſes their hopes " beyond all bounds. But about " that time ſo much joy and " aſſurance was viſible in their " very countenances, as ſeemed " to proceed from a fixed certainty they had of ſome mighty ſucceſs, which they hoped " for in their affairs, that we could " not poſſibly dive into. It is " true, the French king was in " Flanders, and king James was " waiting the firſt opportunity of " wind and tide to waft over " his army into England. But " even all this could ſcarce make " up more than a probability, " much leſs a certainty of ſuc-

" ceſs.

than the place itſelf. King William greatly reſented this conduct of count Horn, who till then had enjoyed a conſiderable ſhare in his eſteem; and it is probable, that the loſs of it was impreſſed deeply upon the count's mind, for he did not 1692.

" ceſs. His majeſty was al-
" ready on the other ſide, and
" his army was drawing toge-
" ther from all quarters to op-
" poſe the French. Our fleet
" was at ſea, and a far braver
" one it was than the French
" could poſſibly ſend out againſt
" us. Whence then could all
" this confidence proceed? there
" muſt certainly be ſome other
" thing in it, than we were
" then aware of. Parker's com-
" ing over at this time, and his
" correſponding with his friends
" here, carries with it a ſhrewd
" ſuſpicion of what we may rea-
" ſonably judge was the ground
" of all this inſolence of the
" party. It were folly to ima-
" gine he ſhould make public
" among them the deſign then
" in agitation to murder the
" king; it was too great a ſe-
" cret to be communicated to
" many. But on the other
" hand, it is ſcarce to be
" thought, but that Parker aſ-
" ſured his friends in general,
" that there was ſome great and
" certain event ready then to
" break forth, that would de-
" cide the controverſy: and he
" might even venture to open
" the ſecret to ſome of the firſt
" form amongſt them." The author alſo mentions two remarkable paſſages never before made public, which ſhew king William's generoſity to the French king, and his abhorrence of all aſſaſſinating deſigns. About ten years ago, ſays he, that is, about the year 1682, he received a letter from an unknown hand, who yet gave himſelf a name, in which he offered to deliver Europe from all her fears, by deſtroying the French king. He deſired only a ſafe refuge in Holland, and a ſmall ſubſiſtence, much leſs than he ſhould leave behind him in France. He deſired an anſwer might be writ to him, and left with the poſtmaſter's wife at Paris; and about a week after he writ a ſecond letter to the ſame purpoſe. The firſt letter came to the then prince of Orange at night at Loo, and monſieur Dyckvelt happened to be with him; ſo he ſhewed him the letter, and deſired him to go to the Hague immediately, and deliver that letter to monſieur D'Avaux, who was then the French ambaſſador to the ſtates. Monſieur Dyckvelt made ſuch haſte, that he was with monſieur D'Avaux next morning, and gave him the letter (and the ſecond was likewiſe ſent to him). He received it with great acknowledgments of the prince's generoſity, and ſent the letter to Paris. The poſt-maſter's wife, being examined, ſaid, that one had come ſeveral times to call for a letter, but, he not coming again, ſhe was ordered to go about Paris, and ſee if ſhe could know him again. One was taken up who ſhe believed was the perſon, and was put in the Baſtile. He happened to be a proteſtant, which

1692. not live long after. Thus ended the campaign in Flanders; Namur was loſt; the reputation of the king's conducting armies was much ſunk; and the Engliſh were generally diſcontented, and alienated from the Dutch.

Affairs in Germany. Nothing of conſequence was done on the Rhine. There were two ſmall armies which acted ſeparately, under the command of the landgrave of Heſſe-Caſſel, and the markgrave of Bareith. The French army there was commanded by the duke de Lorge, who advancing in September towards the Rhine, with a great train of artillery, the landgrave and markgrave held a council of war with the reſt of the generals, wherein it was reſolved, that the two armies, which were ſeparated, ſhould now rejoin. This was accordingly done, and the whole German force encamped near Neuſtadt; but in ſome days they ſeparated again, the landgrave marching to beſiege Eberemberg. He had not been gone long, before the

no doubt made the court of France ſo like the diſcovery the better. But when ſome of the parliament came to examine him, and to confront him with the woman, ſhe, when ſhe viewed him nearly, and heard him ſpeak, owned ſhe was miſtaken, and that he was not the man; ſo after a little while he was diſmiſſed, and came into Holland upon the general proſecution of the proteſtants. By theſe circumſtances it appears, that the court of France believed that this was a real deſign, and no contrivance thrown out to try the prince of Orange's temper. But another inſtance ſhewed, that king William looked on propoſitions of this kind with ſo much horror, that he thought that, which on all other occaſions was the moſt ſacred with him, his word, did not bind in this. A few days after he came to the crown, an unknown perſon wrote to Dr. Burnet, that he had a propoſition of great conſequence to make to the king, if he ſhould have his promiſe, that he might do it ſafely. This the king allowed the doctor to do: ſo he wrote to the perſon by the name and method, that he had given. When he came to the doctor, he told how long he had lived and ſerved in Verſailles, and how he knew all the methods of that court; and at laſt he came to offer to kill the French king. At this the doctor ſtarted up immediately, and ſaid, he thought the king was too well known for any to dare to come to him with ſuch a propoſition. He hoped he himſelf had been alſo ſo well known, that none ſhould have made it by him. He was ſorry, that a promiſe was given of ſafety, but he bid the rogue be gone immediately. When he gave an account of this the next day, the king thought he had carried the matter of the promiſe too far; ſince the promiſe was to be underſtood to relate not to ſuch crimes; and therefore he wiſhed, that the doctor had ſeized on him, and ordered him to be ſure to do it, if ever he could ſet eye on him again.

mark-

markgrave ſent him an expreſs, that the French were moving towards him, which made the landgrave ſend away four thouſand dragoons to the other's aſſiſtance. But, before they and the body of artillery could come up, the duke of Wirtemberg, who was gone before with a body of about four thouſand horſe, and poſted himſelf near Edeilſheim, with a deſign to ſtop the march of the French, was by them ſurprized in his camp by the means of a great fog, and charged ſo briſkly, that his men had not time to put themſelves in a poſture of defence. About a thouſand Germans were killed upon the ſpot, and ſeveral made priſoners, and amongſt the latter the duke of Wirtemberg himſelf, who was carried to Paris; whilſt the French lived at diſcretion in his country, and obliged the landgrave, now weakened by the detachment, which he had ſent away to the markgrave of Bareith, and afterwards by another to ſecure Heidelberg, to raiſe the ſiege of Eberemberg. However the landgrave was ſoon after revenged of the French, for they, under the command of count Tallard, having beſieged Rhinefield, a place which would have been of greater importance to them, if they had carried it, the governor made ſo brave a defence, and the landgrave ſuch extraordinary expedition to relieve it, that the French were obliged to abandon the enterpriſe with conſiderable loſs (both from the enemies fire, and the rigour of the ſeaſon) and not without ſome confuſion to the court of France, who had ſent orders to count Tallard, not to beſiege, but take poſſeſſion of the place. The elector of Saxony had likewiſe promiſed to bring an army upon the Rhine; but Schoening, his general, who had great power over him, was gained by the French to break this deſign. The elector complained, that the emperor favoured the circles of Franconia and Swabia ſo much, that he could have no good quarters aſſigned him for his army. And upon this occaſion it was ſaid, that the emperor drew much money from thoſe circles, that they might be covered from winter quarters; and that he applied all of it to the carrying on of the war in Hungary, and ſo left the weight of the war with France to lie heavy on the princes of the empire. This conteſt ran ſo high, that Schoening who was thought the ill inſtrument in it, going for his health to the hot-baths at Dablitz in Bohemia, was ſeized by the emperor's orders; upon which great expoſtulations paſſed between the courts of Vienna and Dreſden.

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But though the emperor did, as it were, abandon the empire to the French, he made no great progreſs in Hungary. The

Affairs in Hungary. Burnet.

1692-3. The Turks lay upon the defenſive, and the ſeaſon was ſpent in motion, without either battle or ſiege. There was ſtill ſome diſcourſe, but no great probability of peace. Two Engliſh embaſſadors dying, the one Sir William Huſſey, ſoon after his arrival at Conſtantinople, and the other Mr. Harbord, on his way thither, the lord Paget, his majeſty's embaſſador at the emperor's court, was ordered to go thither to mediate a peace. He found the mediation was in a great meaſure ſpoiled by the Dutch embaſſador before his arrival; for he had been prevailed on by the court of Vienna to offer the mediation of the Dutch upon a very high ſcheme. Comeniek, and the Ukrain, and Podolia, with Moldavia and Walachia, were demanded for Poland; Tranſilvania, with the perſon of count Tekeli, for the emperor: and Achaia and Livadia, as an Antemurale to cover the Morea, for the Venetians. The court of Vienna, by offering ſuch a project, reckoned the war muſt go on, which they deſired. The miniſters of the Porte, who were gained by the French to carry on the war, were glad to ſee ſo high a project. They were afraid of tumults; ſo they ſpread this project over the whole empire, to ſhew on what ignominious terms the mediation was propoſed; and by that they juſtified their going on with the war. But the lord Paget offered the king's mediation upon another project; which was, that every prince was to keep what he was then poſſeſſed of; and Comeniek was only demanded to be razed. If this had been offered at firſt, the Ottoman court durſt not have refuſed it; the people were become ſo weary under a long and unproſperous war. But the vizir ſuppreſſed this, and made it ſtill paſs among them, that the Engliſh preſſed the ſame project, that the Dutch had propoſed; which was the more eaſily believed there, becauſe, how ignorant ſoever they were at that court, they knew well what an intereſt the king of England had in the ſtates. So the war was ſtill carried on there; and ſir William Trumball, who came over to England at this time, told the king, that if, inſtead of ſending embaſſies, he would ſend a powerful fleet into the Mediterranean, to deſtroy the French trade, and ſtop the commerce with Turkey, he would quickly bring that court to other meaſures, or raiſe ſuch tumults among them, as would ſet that empire, and even Conſtantinople itſelf, all in a flame.

Affairs in Piedmont. Boyer. Let. Hiſt. With regard to the affairs of Piedmont, the court of France, having brought the pope to an accommodation, endeavoured through his means to divide the duke of Savoy from the confederacy, and diſpatched monſieur Chanlais to Turin,

Turin, to make advantageous propoſals to him, but whether in the form that was afterwards made public, is a myſtery. However there was a writing printed at Paris, wherein the author mentioned all the offers made the duke; though that paper ſeemed chiefly deſigned to render the Italian princes jealous of the Germans, by magnifying the diſorders committed by them in their quarters, and inſinuating, that proteſtants reaped all the advantage of the preſent war; which argument was not long after effectually improved by the partiſans of France in the court of Savoy. But the German troops now in Italy were too numerous to give any of thoſe petty princes an opportunity to diſturb them, ſuppoſing they had an intention to do it; and as for the duke of Savoy, whatever his true ſentiments were, he appeared firm, and reſolute to carry on this campaign with great vigour. On the other hand, the French, who bent the power of their arms againſt Flanders and Germany, left monſieur Catinat very much inferior to the allies in Piedmont, as deſiring only to defend what they had gained the years before on that ſide. But this they could not do: for, the duke of Savoy having got his army into the field, and diſpoſed of ſeveral parties into the vallies and other places for the better ſecurity of the country, he marched in the month of July at the head of twenty thouſand men into the province of Dauphiné; where, after they had pillaged La Roche, Chantelouve, and ſome other villages, they made themſelves maſters of the caſtle and highlands of Guilleſtre, and ſome other paſſes. In Auguſt all the army croſſed the Durance at Guilleſtre, and moved towards the city of Ambrun, which was ſurrendered upon articles, after a ſiege of about nine days. Here the duke of Savoy found twenty pieces of cannon, and a conſiderable quantity of proviſions; and the city preſently granted him forty thouſand livres contribution, which they borrowed at Grenoble for that purpoſe: beſides which he ſeized upon ſixty thouſand livres in gold, which was the French king's money, in the hands of the pay-maſter of the troops. And not only the city of Ambrun, but all the neighbouring towns and villages were at the ſame time put under contribution. Here likewiſe duke Schomberg, who commanded the Engliſh forces to the aſſiſtance of Savoy, publiſhed a declaration in the name of king William, inviting people to join him, and aſſuring them, that his majeſty "had no other aim in cauſing "his forces to enter into France, than to reſtore the nobility "and gentry to their antient ſplendor, the parliaments to their "former authority, and the people to their juſt privileges; "and 1692-3.

1692. "and even to grant his protection to the clergy; and in ſhort "to cauſe the edict of Nantz to be revived, of which the "kings of England had been made guarantees."

Encouraged by this declaration, ſeveral of the French proteſtants, who had been forced to abjure their religion, took this opportunity to make their voluntary recantation before monſieur Dubourdieu, duke Schomberg's chaplain. From Ambrun the army marched directly to Gap, a city upon the frontiers of Provence, whoſe inhabitants opened their gates to prince Eugene of Savoy upon his firſt appearing before it, and readily conſented to pay contribution, to preſerve their houſes from being pillaged and burnt; a treatment, which near eighty caſtles and villages received from the Germans, in retaliation of the barbarities committed by the French in the Palatinate. Not only Grenoble, the capital of Dauphiné, but the neighbouring provinces, and the rich city of Lyons began already to tremble. And indeed never had the allies a fairer opportunity of ſhaking the power of France [h]. But the duke of Savoy's falling ſick of the ſmall-pox,

[h] Biſhop Burnet tells us, that "if the duke of Savoy had carried on the attempt on Dauphiné with the ſpirit with which he began it, he had put the affairs of France on that ſide into great diſorder. But he was either ill ſerved or betrayed in it. He ſat down before Ambrun, and beſieged it in form; ſo that a place which he might have carried in three days, coſt him ſome weeks. And in every ſtep he made it appear, there was either a great feebleneſs, or much treachery in his counſels. He made no great progreſs; yet the diſorder it threw that and the neighbouring provinces into, was very great. He was ſtopped by the ſmall-pox, which ſaved his honour as much as it endangered his perſon. The retreat of his army, when his life was in danger, looked like a due caution. He recovered of the ſmall-pox, but a ferment remained ſtill in his blood, and broke out ſo often into feveriſh relapſes, that it was generally thought he was poiſoned. Many months paſſed before he was out of danger. So the campaign ended there with conſiderable loſſes to the French, but with no great advantage to the duke." II. 100. Monſieur Bernard aſſigns the following reaſons, why the duke did not make a further progreſs in Dauphiné: 1. Becauſe the Spaniſh fleet, which had been promiſed to come and alarm the coaſts of Provence did not appear there. 2. Becauſe the Spaniſh troops in the duke's army, would not obey him, nor penetrate ſo far as he would have had them, either from a fear of being engaged too far, or a deſire of having a greater ſhare of the booty, than they had received

pox, and, what was of more fatal consequence, the spirit of division, which broke out among the generals, not only hindered the design, that had been formed of taking Briançon and Quieras, but likewise incapacitated them to keep what they had already conquered. Thus having plundered the country, destroyed all the provisions they could not consume or carry away, and burnt all that refused to contribute, they blew up the fortifications of Ambrun, took money to save the houses, and so put an end to the campaign. As for the duke of Savoy, he was scarce recovered of the small-pox, when he fell into an ague, which reduced him so low, that his physicians began to despair of his life; but at length his youthful constitution got the better of his distemper. 1692.

The queen's charity to the Vaudois. Boyer.

Besides the annoying France in her most sensible part, his Britannick majesty improved the duke of Savoy's alliance towards the restoration of the Vaudois, a people who justly boasted a purity of faith derived from the primitive ages of the church, and untainted by later superstitions. But they having lost all ecclesiastical discipline through the violence of their late persecution, and being unable to maintain even a minister or school-master, monsieur Dubourdieu acquainted Dr. William Lloyd bishop of St. Asaph, who about this time was removed to the see of Lichfield and Coventry, with their miserable condition, who representing the case to the queen, a fund was established out of her majesty's privy-

ceived. This misunderstanding occasioned a great deal of time to be lost, and gave the enemy an opportunity of strengthening themselves, and stopping the progress of the confederate arms. 3. The sickness of the duke himself. 4. and lastly, The extraordinary vigilance of monsieur Catinat, and the good disposition which he had every where [illegible]. This general having learned, that the duke had some [illegible] upon [illegible] and Jup[illegible] with the [illegible] troops [illegible] command, that it was thought impossible to penetrate [illegible] two places thro' a great [illegible] defiles, in which the French were strongly intrenched, and which could not be forced without the loss of part of the army. The duke therefore and his generals being informed of these difficulties, and finding the winter advancing, and the country so ruined, that it was impossible to support the troops there during that season, and considering, that they had no place to secure themselves in, if they should be attacked by the enemy, when the mountains should be shut up by the snow; they thought proper to retire, after they had plundered the country. Lett. Hist. II. 405.

1692. purſe for the maintaining of ten preachers and [illegible] ſchool-maſters in the vallies of Piedmont.

Affairs of Catalonia. In Catalonia things continued in their former [illegible] French having attempted nothing on that [illegible] their forces were ſufficiently diverted another [illegible] Spaniards having done as little, from their [illegible] and weakneſs.

Hanover made an electorate. Burnet. Lett. Hiſt. This year the proteſtant intereſt in Germany [illegible] ened by the creation of a ninth elector in favour of the duke of Hanover. That duke, who [illegible] the influence of France, had now bro[illegible] with that court, and entered into a treaty, [illegible] the emperor and king William. He promiſed [illegible] againſt France and the Turk, if he might be [illegible] elector of the empire; in which the king concurred to preſs the matter ſo earneſtly at the court of Vienna, that the emperor agreed to it, in caſe he could gain the conſent of the other electors; which the emperor's miniſters reſolved ſecretly to oppoſe as much as poſſible. The duke quickly gained the conſent of the greater number of electors; yet new objections were ſtill made. It was ſaid, that, if this was granted, another electorate in a popiſh family ought alſo to be created, to balance the advantage, which this would give to the Lutherans; and it was moved, that Auſtria ſhould be made an electorate. But this was ſo much oppoſed, ſince it would give the emperor two votes in the electoral college, that it was let fall. In concluſion, after a year's negotiation, and a great oppoſition both by papiſts and proteſtant princes (ſome of the latter conſidering more their jealouſies of the houſe of Hanover, than the intereſt of their religion) the inveſtiture was given on the 19th of December 1692, with the title of Elector of Brunſwick, and Great Marſhal of the Empire. The French oppoſed this with all the artifices they could employ; and the matter lay long in an unſettled ſtate; nor was he now admitted into the college, it being ſaid, that the unanimous conſent of all the electors muſt be had.

The greateſt prejudice the French ſuffered this year was from the ſeaſon; they had a very bad harveſt, and no vintage in the northern parts. England had likewiſe great apprehenſions from a very cold and wet ſummer, deluges of rain continuing till the very time of harveſt. But, when the nation was threatned with a famine, the ſeaſon changed in ſo extraordinary a manner, as to produce a very plentiful harveſt, ſufficient both to ſerve ourſelves, and to ſupply our neighbours.

1692. tours abroad, which brought great ſums of money into the kingdom.

A great earthquake. Burnet. Kennet.

In the beginning of September, there was an earthquake felt in moſt places in England, particularly in London; and in many parts of France, Germany, and the Netherlands. The king was then in his camp at dinner, in an old decayed houſe, which ſhaking very much, and every one apprehending it was ready to fall, he was prevailed with to riſe from table, and go out of the houſe; but the ſurpriſe was ſoon over, and he returned to dinner. About two months before, moſt terrible earthquakes happened in Sicily and Malta, which were repreſented as the moſt dreadful of any mentioned in hiſtory. It was eſtimated, that about one hundred thouſand perſons periſhed by them in Sicily. About the ſame time, an earthquake alſo ſhook the iſland of Jamaica, and almoſt totally ruined the town of Port-Royal: So that, beſides the damages, no leſs than fifteen hundred perſons periſhed in it. Theſe were very extraordinary things, which made thoſe that ſtudied apocalyptical matters, imagine the end of the world drew near. But however, theſe diſmal accidents had but little influence on people to reform their manners. The great examples, ſet the nation by the king and queen, were not much followed. The king had publiſhed a proclamation, declaring his reſolution, to diſcountenance all manner of vice and immorality, in all perſons, from the higheſt to the loweſt degree; and the queen, in the king's abſence, gave orders to execute the laws againſt drunkenneſs, ſwearing, and debauchery; and ſent directions over England, to all magiſtrates to do their duty in executing them: To which, the king joined his authority, upon his return to England. Yet the reformation of manners, which ſome zealous men ſtudied to promote, went on but ſlowly. Many of the inferior magiſtrates were not only remiſs, but very faulty themſelves, and even diſcouraged thoſe, who endeavoured to have vice ſuppreſſed and puniſhed. It muſt be confeſſed, that the behaviour of many clergymen gave great offence. They had taken the oaths, and read the prayers for the preſent eſtabliſhment: They obſerved the orders for public faſts and thankſgivings, and yet they ſhewed, in many places, their averſion to the government but too viſibly. In ſome places it broke out in very indecent inſtances, that were brought into courts of law and cenſured. This made many conclude, that the clergy were a ſort of men, that would ſwear and pray even againſt their conſciences, rather than loſe their benefices, and conſequent-

A great corruption over England. Jan. 21.

1692. ly were governed by intereſt, and not by principle. The Jacobites grew ſtill to be more outragious, while [illegible] ſeemed to be neutrals in the diſpute. And wh[illegible] moſt extraordinary, the government itſelf acted [illegible] remiſſneſs, and ſo few were inquired after or puni[illegible] thoſe who were employed by the king, behaved [illegible] in many places, as if they had ſecret inſtructions t[illegible] upon his beſt friends, and to be gentle to his enem[illegible] the whole matter, the nation was falling under [illegible] corruption, which was much ſpread among all ſorts of people.

Proclamations againſt highwaymen and libellers.

On the 13th of September the queen iſſued out two proclamations; the one for the better diſcovery of ſeditious libellers [1], and the other for the diſcovery and apprehending of highwaymen, and for a reward of forty pounds for every ſuch offender, to the diſcoverers; which encouragement occaſioned the taking of many of theſe robbers, who about this time very much infeſted the roads of this kingdom.

Young's plot againſt ſeveral perſons diſcovered. B. of Rocheſt.

In May this year was detected a ſham plot invented by one Robert Young, who was committed to Newgate till he diſcharged a fine impoſed upon him. One Henry Pearſon, a priſoner in the ſame place for debt, perceiving Young to be very expert in counterfeiting hands, told him, that, if he could contrive a plot, and father it upon the earls of Marlborough and Saliſbury, Dr. Thomas Sprat biſhop of Rocheſter, and ſome others, he might ſoon have money enough to pay his fine. Young gladly accepted the propoſal; but told Pearſon, that nothing could be done in that matter, till he was releaſed, which in a ſhort time was effected. As ſoon as Pearſon was at liberty, he employed one Stephen Blackhead to carry letters between himſelf and Young. By a certain ſtratagem Young happened to procure the earl of Marlborough's hand, which he counterfeited ſo exactly, that it was very difficult to diſtinguiſh the true from the falſe. Afterward he drew up an Aſſociation, and affixed to it the hands of the earls of Marlborough and Saliſbury, as alſo Sir Baſil Firebraſs's, the biſhop of Rocheſter's, and the lord Cornbury's, which two laſt were writ by another hand. And, that the more credit might be given to this pretended plot,

[1] Now it was that the Glencoe buſineſs was induſtriouſly noiſed about town and country, and repreſented as bad as the maſſacres at Paris and in Ireland, and as the king's act and deed; but, how juſtly, will hereafter be ſeen. Leſley publiſhed a pretended relation of the fact, in a letter which was greedily ſwallowed by the Jacobites and other enemies of the revolution.

Young

Young forged several letters in the earl of Marlborough's name, supposed to be directed to himself, which Blackhead used to bring to him again. Blackhead went three times to the bishop of Rochester's house at Bromley in Kent, upon a fictitious errand from a supposed doctor of divinity, but with no other intent than to convey the forged association into a secret place, where it was afterwards found by the king's messengers, who, upon information given by Young against that prelate, came first to secure his person, and then to search his house. His lordship was some days under confinement; but, upon a strict examination of the whole matter before the council, and the confronting of Blackhead with Young, the forgery was evidently discovered, and his lordship's innocence made manifest. 1692.

The earl of Marlborough was likewise committed to the Tower upon the accusation of this Young on the 5th of May, where he continued till the 15th of the next month, being the last day of the term, when he was admitted to bail at the King's-Bench bar, the duke of Shrewsbury, the marquis of Hallifax, the earl of Carbury, and Mr. Boyle being bail for him. On the 24th of October following, being the first day of Michaelmas term, his lordship appeared again in that court, and insisted to be discharged, alledging, that he had been committed upon the charge of Young, against whom an information of perjury and forgery had been since found by the grand jury, and declaring, that he would otherwise make his complaint in the house of lords. But his bail was still continued by order of that court.

Scotland enjoying now a perfect tranquillity, the parliament of that kingdom was very zealous and forward to contribute new levies for the support of their majesties government. And as for Ireland, the lord Sidney, lord lieutenant of that kingdom, so managed affairs, that the parliament there, which began on the 5th of October, made an act, not only of "recognition of their majesties undoubted title "to that crown, and another for encouragement of pro- "testant strangers to settle in that kingdom, but also one "for granting to their majesties the sum of seventy thousand "pounds, by an additional duty of excise upon beer, ale, and "other liquors." After which, on the 3d of November, they were prorogued [k]. Affairs of Scotland and Ireland.

The

[k] The proceedings of that parliament will appear from the following extracts of original letters from Mr. Richard James,

1692. The king departed from the camp at Gramont, S[illegible] the 7th, having left the command in chief of the [illegible] the elector of Bavaria; and the next day arrived at [illegible]

The king returns to England.

Oct. 18. one of the under ſecretaries of ſtate, to ſir William Dutton Colt, envoy extraordinary at Hanover.

Whitehall, Octob. 7, 1692.

"This week arrived an expreſs from Ireland with ſeveral bills, that have been prepared by the council there to be preſented to the parliament, which ſat down on the 5th inſtant. They were put into the hands of Mr. Attorney-General to conſider of them, who made this afternoon his report to the queen and council here, where the ſaid bills were read; and ſuch amendments being made, as were thought fit, they are ordered to be engroſſed and paſſed under the great ſeal of England, in order to be diſpatched back to Ireland. Theſe bills are eleven in number; the chief of them are for granting the aid to their majeſties; for ſettling the militia; and for an indemnity."

Whitehall, Octob. 11, 1692.

"The council has met ſeveral times to conſider of the bills tranſmitted hither from Ireland, and have, with ſome amendments, approved of theſe, that follow: An act for granting certain duties to their majeſties: An act for additional exciſe upon beer, ale, and other liquors: An act for ſettling [illegible] An act for pu[illegible] ers and mutin[illegible] my: An act [illegible] proteſtant ſtra[illegible] and ſettle in [illegible] to prevent vexatious [illegible] and, An act about taking affidavits in the country. The Act of indemnity, which was ſent over with the reſt, is ſtill under debate; and the papiſts who are concerned therein, ſince it cuts off all remainders to the forfeited eſtates, have petitioned the queen, that they may be heard, before the bill be ſent back; and their petition is referred to Mr. Attorney-General."

Whitehall, Octob. 21, 1692.

"The letters from Dublin of the 12th tell us, that the parliament had yet done little beſides appointing the committees. That of grievances had fallen upon Mr. Culliford, lately one of the commiſſioners of the revenue there, who, it was believed, would not come off there as he did the laſt winter in England. They had likewiſe queſtioned one Croſs, a [illegible] of the county of [illegible] things done [illegible] king James's [illegible] confined [illegible] him the [illegible] was a [illegible] likewiſe [illegible] be printed.

house at Loo, to divert himself a few days 1692.
he then came back to Brussels, and held a
, wherein he gave orders for the march of
the

Octob. 28, 1692.

" came hither yes-
terday, being the day appoint-
" ed for a public thanksgiving;
" and in the afternoon was pre-
" sent at the general council,
" where two Irish bills more
" were read and approved, viz.
" one to prevent frauds and per-
" juries; and another to settle
" intestates estates. There were
" two other bills under consi-
" deration, to wit, that for a
" general indemnity; and that
" for easing protestant dissenters;
" but they are both laid aside
" for the present. By the first
" a great many persons are at-
" tainted, and the remainders
" are cut off from all forfeited
" estates; and by the latter, a
" greater liberty is given the
" dissenters than what they now
" enjoy here."

Whitehall, Novemb. 4, 1692.

" Yesterday came in several
" mails from Ireland; the last
" are of the 20th and 24th of
" last month. They bring little
" news, telling us only, that the
" two houses of parliament had
" passed an act for the confirmation
" of their majesties undoubted
" title to the crown of Ireland,
" and had under consideration
" several other bills, and the
" [illegible] prevent [illegible]
" [illegible] while they com-
" plained [illegible] but the latter do
" not [illegible] they were [illegible] they
" had [illegible] the
" [illegible] having addressed to
" and favoured the Irish during
" the late rebellion, as they had
" done before to Mr. Crofts of
" the county of Cork. And my
" lord lieutenant had sent a
" message to them, letting them
" know, that they should sit
" but a fortnight longer, and
" be then prorogued till the
" spring."

Whitehall, Novemb. 8, 1692.

" By the letters from Dublin
" of the 27th and 30th past, we
" have an account, that the two
" houses of parliament there had
" passed an act for granting to
" their majesties an additional
" excise upon beer, ale, and
" other liquors, which may raise
" about twenty-five thousand
" pounds. But at the same time
" the commons declared, That
" it was their undoubted right to
" prepare and resolve the ways
" and means of raising money;
" and that their receiving the
" said bill of excise, which was
" transmitted to them under the
" great seal of England, should
" not be drawn into precedent
" for the future. And withal
" they rejected another bill sent
" out of England, for granting
" certain duties to their ma-
" jesties for one year, and or-
" dered it to be entered in their
" journals, that the reason why
" the said bill is rejected, is, that
" the same had not it's rise in
" their house. And after this
" they themselves took into con-
" sideration, how they should

1692. the forces into winter-quarters, and went thence to the Hague, where having ſettled his affairs, he embarked on the 15th of October on board the Mary yatch, attended by ſir Cloud. ſley

" raiſe the reſt of the ſupply " of ſeventy thouſand pounds, " which they had voted to be " given for one year towards " paying the army. They had " likewiſe rejected two other " bills tranſmitted out of Eng- " land; one intitled, An act to " confirm the acts of ſettlement, " and explanation and reſolu- " tion of the doubts of the lord " lieutenant and council upon " the ſaid acts; and the other, " An act for reverſing the act " of attainders, and all other " acts made in the late pretend- " ed parliament of Ireland. " They had appointed a com- " mittee to inquire what laws " were going to expire in Ire- " land, and were fit to be con- " tinued; and what laws, that " have been made in England, " were fit to be made of force in " that kingdom: and the ſaid " committee had reported ſeve- " ral laws accordingly; among " which one was the Habeas " Corpus act. They had alſo " repreſented ſeveral grievances " to the lord lieutenant, to wit, " the employing of papiſts in " the army; the ſuffering them " to go armed; and miſapply- " ing of the forfeitures, &c. " Laſtly, they had given his " excellency thanks for his care " to ſuppreſs the rapparees and " tories, whoſe numbers began " to increaſe in the north of " Connaught, and in the county " of Cork. And the houſe of " lords had reſolved to write " letters to the houſes of par- " liament in England, to thank " them and this whole kingdom " for their kindneſs and aſſiſt- " ance to the Engliſh, when they " lately fled into this kingdom " from the popiſh perſecution " in Ireland. The ſame letters " add, that it was believed the " parliament would end their " ſeſſions the laſt week, and be " prorogued till the ſpring."

Whitehall, Novemb. 11, 1692.

" This day came in an ex- " preſs from Ireland, with an " account that his excellency " the lord lieutenant had on the " 3d inſtant prorogued the par- " liament to the 6th of April " next, after having given the " royal aſſent to the Act of re- " cognition of their majeſties " undoubted title to the crown " of England; An act for grant- " ing an additional exciſe to " their majeſties; An act for en- " couraging proteſtant ſtrangers " to ſettle in Ireland; and an " Act for taking affidavits in the " country. The commons had " rejected ſeveral other acts be- " ſides thoſe mentioned in my " laſt, to wit, that, for ſettling " the militia; another for pu- " niſhing mutineers and deſert- " ers, &c. Which, together with " ſome other of their votes, gave " his excellency ſuch diſlike of " their proceedings, that he took " notice of it in his ſpeech at " their riſing, and cauſed a pro- " teſtation to be entered againſt " them in the lords houſe, for

[redacted]ley Shovel, with ſeveral men of war, and on the 18th 1692.
[redacted]ſe at Yarmouth [1].

[redacted]riday the 4th of November, the parliament met at [redacted]nſter, which the king opened with the following [redacted]o both houſes.

The fourth ſitting of the ſecond parliament.

[redacted]y Lords and Gentlemen,

Nov. 4. Pr. H. C. II. 408.

"I AM very glad to meet you again in parliament, where I have an opportunity of thanking you for the great ſupplies you have given me for the proſecution of this war. And I hope by your advice and aſſiſtance, which have never failed me, to take ſuch meaſures, as may be moſt proper for ſupporting our common intereſt againſt the exceſſive power of France.

"We have great reaſon to rejoice in the happy victory, which by the bleſſing of God we obtained at ſea. And I wiſh I could tell you, that the ſucceſs at land had been anſwerable to it. I am ſure my own ſubjects had ſo remarkable a part in both, that their bravery and courage muſt ever be remembered to their honour.

"The French are repairing their loſſes at ſea with great diligence, and do deſign to augment their land forces conſiderably againſt the next campaign; which makes it abſolutely neceſſary for our ſafety, that at leaſt as great a force be maintained at ſea and land, as we had the laſt year. And therefore I muſt aſk of you, gentlemen of the houſe of commons, a ſupply ſuitable to ſo great an occaſion.

"aſſerting the king's prerogative; and his excellency had likewiſe removed Mr. Serjeant Oſborne and Mr. Serjeant Broderick, two leading men in the houſe, from being of the king's council."

[1] About this time ſeveral French refugees, ſtudious to promote the intereſt of England, and to weaken France by impairing her manufactures, in conjunction with ſome Engliſh merchants, termed the Royal Luſtring Company; and being ſupported by the protection of the earl of Pembroke, whom they choſe their governor, obtained the king's patent whereby they were reputed a body politic, having the full and ſole privilege for the making of luſtrings and alamodes in England. On the 26th of October, this patent was read in full committee at their houſe in Auſtin Fryers; at which time the company was farther aſſured by their governor of their majeſties ſatisfaction in this undertaking to ſuch a degree, that all other encouragements might be expected for the promoting of it.

"I am

1692. " I am very ſenſible how heavy this charge is upon my " people; and it extremely afflicts me, that it is not poſſible " to be avoided, without expoſing ourſelves to inevitable " ruin and deſtruction. The inconvenience of ſending out " of the kingdom great ſums of money, for the payment " of the troops abroad, is indeed very conſiderable; and I ſo " much wiſh it could be remedied, that, if you can ſuggeſt " to me any methods for the ſupport of them, which may " leſſen this inconvenience, I ſhall be ready to receive them " with all the ſatisfaction imaginable.

" My Lords and Gentlemen,

" None can deſire more than I do, that a deſcent ſhould " be made into France; and therefore, notwithſtanding the " diſappointment of that deſign laſt ſummer, I intend to " attempt it the next year with a much more conſiderable " force; and, ſo ſoon as I ſhall be enabled, all poſſible care " and application ſhall be uſed towards it.

" And upon this occaſion I cannot omit taking notice of " that ſignal deliverance which by the good providence of God " we received the laſt ſpring, to the diſappointment and con- " fuſion of our enemies deſigns and expectations.

" This has ſufficiently ſhewn us how much we are expoſed " to the attempts of France, while that king is in a con- " dition to make them. Let us therefore improve the ad- " vantage we have at this time of being joined with moſt of " the princes and ſtates of Europe againſt ſo dangerous an " enemy. In this ſurely all men will agree, who have any " love for their country, or any zeal for our religion. I " cannot therefore doubt but you will continue to ſupport " me in this war againſt the declared enemy of this nation; " and that you will give as ſpeedy diſpatch to the affairs be- " fore you, as the nature and importance of them will ad- " mit; that our preparations may be timely and effectual " for the preſervation of all that is dear and valuable to us.

" I am ſure I can have no intereſt but what is yours. We " have the ſame religion to defend; and you cannot be " more concerned for the preſervation of your liberties and " properties than I am, that you ſhould always remain in " the full poſſeſſion and enjoyment of them; for I have no " aim but to make you a happy people.

" Hitherto I have never ſpared to expoſe my own perſon " for the good and welfare of this nation; and I am ſenſible " of your good affections to me, that I ſhall continue to

do

do ſo with great chearfulneſs upon all occaſions, wherein 1692.
"I may contribute to the honour and advantage of England."

This ſpeech was received with the univerſal approbation which it deſerved. The commons after reading the king's ſpeech, by reaſon of the thinneſs of the houſe, adjourned to the 11th of November [m], in order to give their members time to come up; the lords likewiſe adjourned to November the 7th, when a complaint was made by the earls of Huntington, Scarſdale, and Marlborough, that they had been lately committed to the Tower by warrants, wherein it was not ſaid, that any information was given againſt them upon oath, which they alledged to be required by the law. They complained likewiſe, that the beginning of this Michaelmas Term they were continued upon bail, by the court of King's-Bench, though the parliament was then going to meet; which they looked upon as a breach of the privilege of the peerage of England; wherein they were ſeconded by ſome other lords. Theſe two points were debated ſome time, and the opinion of the judges was aſked upon the laſt; and the lord chief juſtice Holt juſtified the proceeding of the King's-Bench. At laſt it was reſolved, that a committee ſhould be appointed to inquire into precedents about this matter, and to make their report on the Wedneſday following; till which time the houſe adjourned; and the committee met on Tueſday accordingly.

Proceedings of that houſe. MS. Lett.

Complaints of the lords that had been committed.

The houſe of peers meeting on Wedneſday, November 9th, reſumed the affair of the commitment of the lords to the Tower, and their being continued under bail by the King's-Bench. The debate ran chiefly upon the ſecond head; and it was moved, that the recognizances of the ſaid lords, which were taken in the King's-Bench, ſhould be removed to the houſe of peers, as being the ſupreme court. But the lord chief juſtice Holt's opinion being aſked, and he acquainting them, that it could not be done, that debate fell. The day following, their lordſhips called before them Mr. Aaron Smith, who was the ſollicitor for law-affairs; and he was aſked upon oath what witneſſes there were in the firſt place againſt the earl of Huntington; to which he anſwered, that he knew of but one. It was then debated, whether one witneſs was ſufficient to keep a peer under bail, after he had

[m] The proceedings of both houſes in this ſeſſion, are chiefly extracted from a ſeries of original letters, written by Mr. Warre, under ſecretary of ſtate, to Sir W. D. Colt, envoy extraordinary at Hanover.

entered

1692. entered his prayer at the King's-Bench to be tried, [illegible] Habeas Corpus act directs; but they came then to [illegible] ſolution upon it.

The houſe of commons met on the 11th acco[illegible] their adjournment, when a motion was made by Sir [illegible] Clarges for an addreſs to his majeſty, that the fore[illegible] ances might be laid before that houſe; which was [illegible] and the deſign of it was evidently to enter into the c[illegible] tion of the part, which the ſeveral confederate pri[illegible] in the war; and whether it was proportionable to [illegible] England.

The next day the peers reſumed the debate concerning the lords who had been committed; and the committee, which had been appointed for that purpoſe, reported an order, declaring, That no peer ſhould be continued upon bail, unleſs there were two witneſſes againſt him. Upon this ſome debate aroſe, but concluded without any determination; and then their lordſhips entered upon the conſideration of the legality of the commitments, but adjourned without coming to any concluſion.

The ſame day there was brought into the houſe of commons a bill "for regulating trials in caſes of high-treaſon;" and they voted thanks to admiral Ruſſel, and the commanders and ſeamen of the fleet, for the late victory at ſea; and ordered, that the lords of the admiralty lay before the houſe copies of the orders by them ſent to the admiral; who was likewiſe ordered to bring copies of thoſe, which he had received; the houſe reſolving to inquire how it came to paſs, that the victory was not purſued.

The next day, November 12, the houſe of lords received a report from their committee, of an order, declaring, that no peer ſhall be remanded to priſon by the King's-Bench upon his appearing before them by virtue of the Habeas Corpus act, after having entered his prayer to be tried as the ſaid act directs, or kept under bail, unleſs there be againſt him two witneſſes upon oath. Hereupon the judges were conſulted, and they were of opinion, that it was not neceſſary in this caſe to have two witneſſes upon oath againſt the priſoner, but that there ought to be two witneſſes in a capacity to be ſworn, ſince it might happen, that one of them was abſent, and had not yet had an opportunity to be ſworn. The committee therefore altered their order agreeably to this opinion of the judges; and then it was moved on the 14th of November, and debated ſeveral hours, whether that order ſhould be entered as a ſtanding rule in the journals of the houſe, and at

laſt

laſt it was reſolved in the affirmative by thirty-five voices againſt twenty-eight. The day following their lordſhips entered again upon the matter of the lords continued under bail, and conſidered in what manner to diſcharge them from their recognizances; and after ſome debate it was intimated as an expedient, that his majeſty would give order for their diſcharge the next day; which put an end to the debate, and they accordingly adjourned to Thurſday, November 17, when they were informed that theſe lords had been diſcharged the day before by the king's particular command. Upon this a debate aroſe, what entry ſhould be made thereof in their journals for aſſerting the rights and privileges of the peers, wherein they came to no determination, but adjourned the debate to the next day, when they ordered it to be entered upon their journal, that being informed, that his majeſty had given directions for the diſcharge of the lords under bail in the King's-Bench, the debate about that matter ceaſed. This debate went off in a bill, that indemnified the miniſtry for thoſe commitments, but limited them, for the future, by ſeveral rules; all which rules were rejected by the commons. They thought thoſe limitations gave a legal power to commit, in caſes were they were obſerved; whereas they thought the ſafer way was to indemnify the miniſtry, when it was viſible they did not commit any but upon real danger, and not to ſet them any rules: Since, as to the commiting of ſuſpected perſons, where the danger is real and viſible, the public ſafety muſt be looked to, and ſupercede all particular laws. 1692.

An act to indemnify the miniſtry for commitments. Burnet.

The commons, on the 12th of November, entered upon an enquiry, 1. Why the late victory at ſea had not been purſued? 2. Why the deſcent had not been made? 3. Why care had not been taken to cover the trade, by having convoys and cruiſers in proper ſtations? In anſwer to the firſt, admiral Ruſſel alledged, That nothing had been omitted on his part; and that he gave orders in writing to ſir John Aſhby, preſently after the fight, to purſue the French ſhips that fled through the Race of Alderney [n]. Secondly, as to

Inquiry into the conduct of the fleet.

[n] Accordingly Sir John Aſhby being examined, Nov. 19, particularly in relation to the French men of war that eſcaped into St. Malo's, he gave an account of the proceedings of the ſhips under his command in and after the engagement; with which the houſe was ſo well pleaſed, that the ſpeaker, by direction of the houſe, acquainted him, "That the houſe took notice "of his ingenious behaviour at "the bar, and that he had given "an account to the ſatisfaction "of the houſe, and was diſmiſſed from farther attendance." Pr. H. C. II. 410.

the

1692. the deſcent, he ſaid, That it was ſo late in the year, when the land-forces joined the fleet, that it was the opinion of all the ſeamen, that the great ſhips could not ſtand over to St. Malo's, or the other places propoſed, without an extreme hazard. So that the inquiry remaining was, why the land-forces embarked no ſooner; of which the commiſſioners of tranſports, victuallers, and officers of the ordnance, were required to give an account as far as related to their ſeveral parts. Laſtly, the commiſſioners of the admiralty were directed to give an account about the convoys.

The commons addreſs. On the 14th, the commons made an addreſs to the king, in which they acknowledged, "The great affection his "majeſty ſhewed to his ſubjects, by taking notice of their "bravery and courage, by that ſenſible concern he expreſſed "for the charges on his people, and by that tender regard "for the preſervation of their religion, liberties, and pro-"perties, which muſt ever be remembered with gratitude by "all his faithful ſubjects. They likewiſe acknowledged the "favour of God, in reſtoring his majeſty in ſafety to his "people, after ſo many hazards and dangers, to which he "had expoſed his ſacred perſon; that there might be no-"thing wanting on his part to oppoſe the ambitious deſigns "of his enemies, and to maintain the honour of England, "and the liberties of Europe. They alſo congratulated his "deliverance from the ſecret and open deſigns, which the "malice of his enemies had formed againſt him; and aſ-"ſured him, that they would always adviſe and aſſiſt him in "the ſupporting of his government againſt his enemies." They preſented at the ſame time their thankful acknowledgments to the queen, "for her gracious and prudent "adminiſtration of the government, whilſt his majeſty was "hazarding his royal perſon abroad; and for the bleſſings "of peace, which they enjoyed at home under her auſpicious "reign, at a time when the greateſt part of Europe was ſuf-"fering the miſerable effects of war. They alſo congratu-"lated, not only the ſignal deliverance, which they receiv-"ed from a bold and cruel deſign, formed and proſecuted "for their deſtruction, when it was juſt ready to be executed, "but likewiſe the return of her majeſty's fleet with ſo com-"pleat and glorious a victory, as was not to be equalled in "any former age; aſſuring her majeſty, that the grateful "ſenſe they had of their happineſs under her government, "ſhould be always manifeſted in conſtant returns of duty "and obedience, and a firm reſolution to do all that was in "their power to render her reign ſecure and proſperous."

On the 14th Sir Edward Seymour delivered to the commons a meſſage from the king in anſwer to their addreſs the laſt ſeſſion, about the Eaſt-India company, with ſeveral papers relating to that company; namely, a copy of the new regulations drawn up by his majeſty's order, and which the company had refuſed to ſubmit to; and the opinion of the judges thereupon, which the king informed the houſe was the reaſon of his having done nothing in the affair, ſince the judges had declared, that the company muſt have three years notice, and that no company could be ſet up in that time; for which reaſon he left the commons to proceed in that matter as they ſhould think proper. 1692. A meſſage to the commons about the Eaſt India company.

The next day the commiſſioners of accounts laid before the commons their report about the receipts and iſſues of the public monies; the conſideration of which being deferred to the Thurſday following, the buſineſs of the day was called for, which was to conſider of the king's ſpeech; but it was anſwered, that, ſince his majeſty deſired their advice as well as aſſiſtance, they could not offer the former till they had inquired into the alliances, public accounts, &c. and thereupon it was ordered, that the conſideration of his majeſty's ſpeech ſhould be adjourned till the Tueſday following.

On Wedneſday, November 16th, the commons had a debate of two hours, by whom the alliances laid before them ſhould be tranſlated; ſome propoſing, that it ſhould be done by public notaries; others, that they ſhould be returned to the ſecretary for that purpoſe; and others, that they ſhould be referred to a committee, in order to be rendered into Engliſh, and theſe laſt prevailed. The next day was ſpent by that houſe in the buſineſs relating to the Eaſt-India company; and, the day following, they read a ſecond time the bill "for regulating trials in caſes of high treaſon;" upon which a long debate aroſe, whether it ſhould be rejected or committed, many of the members looking upon it as very unſeaſonable at that time, when the enemies of the government were ſo active in plotting againſt it, ſince by this bill the conviction of ſuch offenders would be made much more difficult than it was before; but in concluſion, it was carried upon the queſtion by one hundred and ſeventy againſt one hundred and fifty, that the ſaid bill ſhould be committed to the committee of the whole houſe.

On Wedneſday, November the 23d, the commons had a long debate about the foreign generals, on which ſubject ſeveral warm ſpeeches were made, and the count de Solms was particularly named as the chief occaſion of the ill ſucceſs

at

1692. at Steenkirk by not ſending ſuccours, when c… ſupport the Engliſh, and as a perſon who ha… the Engliſh well. It was at firſt preſſed, that n… neral ſhould be allowed of upon the Engliſh e… but that motion would not paſs, though it was a… with little oppoſition, that his majeſty ſhould be… viſed to fill the vacancies, that ſhall happen fo… of general officers in our army with ſuch only … of their majeſties dominions; and that the ge… Engliſh foot be a native of their majeſties dom… which vote they propoſed to hinder the coming in … foreign generals than were already employed in … and to remove count Solms. And it was even … the houſe ſhould deſire the king to confer that command upon lieutenant-general Talmaſh, who, it was ſaid, was a better and more experienced officer; but this motion was not ſeconded, and ſo it fell.

On the 24th of November, the commons reſumed the affair of the Eaſt-India Company; and reſolved, that there ſhould be a new ſubſcription of a joint ſtock not exceeding two millions, and not leſs than 1,500,000 l. to continue for twenty-one years. And the day following the ſtate of the war for the enſuing year was laid before that houſe. The land force was the ſame as it was the laſt year, but the naval ſomewhat greater. The whole expence amounted to four millions, two hundred thouſand pounds; to which was added, deficiency of the laſt poll act, amounting to 750,000 l. The eſtimates were read, and the farther conſideration of the ſupply adjourned to the Tueſday following.

The lords, on November the 23d, attended their majeſties with their addreſſes of thanks and congratulation; and on the 28th they reſolved, that his majeſty be humbly adviſed to employ one, who was born their majeſties ſubject, to be general of the Engliſh forces; and the day following they conſidered the miſcarriages of the intended deſcent into France, and after ſome debate reſolved, to make an addreſs to his majeſty, that all orders, letters, &c. relating to the ſame, be laid before them.

On Saturday, November 26th, the committee about the tranſports made their report to the houſe of commons; and after ſeveral warm ſpeeches, it was reſolved, that in regard many of the great affairs of the government have been for the time paſt unſucceſsfully managed by thoſe who had the direction thereof, the houſe ſhould humbly adviſe his majeſty to prevent the like miſchiefs for the future, by employing

ing men of known ability and integrity; this queſtion being carried without a ſingle negative. Some members then repreſented the prejudices, which they conceived to ariſe to the public by having all affairs of ſtate paſſed only through the cabinet-council; thinking it better to have them conſidered of in the privy-couhcil; upon which there was ſome debate, but the motion fell. 1692.

On the 28th the commons were employed upon the bill "for regulating trials in caſes of high-treaſon," wherein they made ſeveral amendments, the principal of which was, that this act ſhould not take place, nor be of any force, till after the expiration of the preſent war with France; which upon the queſtion was carried by one hundred and ſeventy-five, againſt one hundred and forty; this amendment being thought to anſwer the main objection againſt the bill, of its being unſeaſonable.

The day following they took into conſideration the eſtimates about the fleet. The firſt debate was, whether they ſhould allow of the thirty-three thouſand ſeamen demanded by the admiralty; which ſome would have reduced to thirty thouſand; but it was carried for the whole number; after which they agreed likewiſe to all the other particulars of the eſtimate, except that about the two marine regiments, which they did not allow of.

On the 30th of November, the commons went again into a grand committee to give advice to his majeſty. Several ſpeeches were made againſt the ill management of affairs, and the inactivity and want of vigour, that appeared in thoſe, who had the adminiſtration of them; which they imputed to the principles of ſome of them, who at firſt oppoſed the ſettlement of the government, and therefore could not be thought to be ſo zealous for the ſupport of it as was neceſſary in the preſent ſtate of things. And Mr. Arnold went ſo far as to name the earl of Nottingham, though he was not ſeconded. After a long debate the following vote paſſed without any oppoſition, that his majeſty be humbly adviſed, for the neceſſary ſupport of the government, to employ in his councils and management of his affairs, ſuch perſons only whoſe principles oblige them to ſtand by him and his right, againſt the late king James and all other pretenders whatſoever.

The day following the houſe agreed with the committee about the eſtimates of the fleet for the enſuing year; and then reſolved upon an addreſs to his majeſty, that a liſt of the ſhips deſigned for the next year's ſervice might be laid

1692. before them. After this the report was made about the bill "for regulating trials in caſes of high treaſon," to which the houſe agreed, and particularly to the amendment, that this act ſhould not take place till after the expiration of the preſent war, which was debated for ſome time, and at laſt carried by one hundred and ſixty-five againſt one hundred and forty. Some clauſes were then offered to be added to the bill, one of which occaſioned a long debate. It was to enact, that it ſhould be high-treaſon for any perſon to declare by word or writing, that their preſent majeſties were not lawful and rightful king and queen of this realm. This was very much oppoſed, as a thing irregular to bring in thus a clauſe for making a new law, and as dangerous to the ſubject to make words treaſon. At laſt it was agreed to lay aſide the clauſe, and that a bill be brought in for the better preſervation of their majeſties perſons and government. But no further mention was made of the other bill "for regulating trials," &c. during this ſeſſion.

The houſe of lords, on the 2d of December, reſumed the conſideration of the bill of indemnity, and added to it a clauſe impowering the council, in caſe of an invaſion, to ſecure all ſuſpected perſons, who refuſe to take the oaths, and to give ſecurity for their peaceable behaviour. And on the 6th of that month the earl of Nottingham gave in to their lordſhips an account of all orders and proceedings about the deſcent.

On the 3d of December, the commons proceeded upon the eſtimates about the land forces; when the lord Ranelagh acquainted them, that, of the fifty-four thouſand demanded by his majeſty, he deſigned, that twenty thouſand ſhould be left in England, and the reſt employed abroad. Upon this, the firſt debate was, whether they ſhould agree to have twenty thouſand men kept in England; and it was preſſed to begin with this queſtion; but the managers for the court oppoſed it, and would not ſuffer this ſeparate queſtion, inſiſting to have the whole fifty-four thouſand men put into the queſtion together; which occaſioned a long debate, but at laſt it was agreed, that the ſeparate queſtion about the twenty thouſand men to be kept in England ſhould be put firſt; which being done, it paſſed without a negative. Then the ſecond queſtion was debated about the thirty-four thouſand men to be employed abroad; which was warmly oppoſed by ſeveral, who were againſt ſending any forces to Flanders, where no advantage was to be expected by the experience of the laſt campaign; at leaſt they were for leſſening the number, ſince

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the kingdom could not bear ſo great an expence. This debate kept the houſe ſitting till nine at night, when the queſtion being put, it was carried for the thirty-four thouſand men with ſo great a majority, that the oppoſite ſide did not think fit to divide for it. On the 5th they went again into a grand committee to give advice; and after a long debate, and divers angry ſpeeches, they paſſed the two following votes: 1. That the committee was of opinion, that there had been an apparent miſcarriage in the management of the affairs relating to the deſcent the laſt ſummer. 2. That one cauſe of the ſaid miſcarriage, was the want of giving timely and neceſſary orders by ſuch perſons, to whom the management of this matter was committed. The firſt paſſed without any oppoſition; but the laſt, which was plainly levelled at the earl of Nottingham, was carried only by one voice, a hundred and ſixty-five againſt a hundred and ſixty-four. The day following they proceeded upon the eſtimates about the land-forces, and agreed to the allowances demanded for the general officers. But, when they came to the three pounds a day ſet down for Mr. Blaithwait, they would not allow of it, but reduced it to twenty ſhillings, which, upon the queſtion, was carried by about nineteen voices. 1692.

The lords, on the 7th of December, had the earl of Nottingham's relation concerning the deſcent read to them, and it was ordered, that the original letters from admiral Ruſſel, and other perſons therein mentioned, ſhould be laid before the houſe. After which a motion was made, that they ſhould proceed jointly with the commons in giving their advice to his majeſty, and to that end it ſhould be propoſed, that a committee might be appointed by either houſe, to meet together, and conſider of heads for the ſame. But, after a long debate, it was reſolved in the negative by a majority of forty-eight againſt thirty-ſix; of the former number were all the lords of the cabinet council, except the lord ſteward; all the biſhops preſent, except Dr. Watſon biſhop of St. David's [o].

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[o] Leave having been aſked and given, that ſome lords might proteſt, if the queſtion was carried in the negative, the lords whoſe names are underwritten, entered their proteſtation in the reaſons following:

1. Becauſe his majeſty having particularly and expreſsly deſired the advice of his parliament at this time, when he ſo much ſeems to need it, no other method was, or, in our opinions, could be propoſed, by which the two houſes might ſo well and ſo ſpeedily be brought to that concurrence, which is neceſſary to render their advice effectual.

1692. The ſame day the commons proceeded upon the buſineſs of the Eaſt-India company, and agreed to the reſt of the regulations,

2. Becauſe it appears by ſome papers already imparted to this houſe, that ſeveral members of the houſe of commons are concerned in the matters before us, as having been ſo lately employed in his majeſty's ſervice; and we conceive it the eaſieſt, propereſt, and faireſt way of communication between the two houſes, to have ſo great and important a buſineſs tranſacted and prepared in a committee ſo choſen.

3. Becauſe it cannot be expected that ſo many members of the houſe of commons, from whom we ſhall need information, can in any other manner be here preſent ſo often, though with the leave of the houſe, as will be neceſſary for a ſufficient enquiry into the ſeveral affairs now under conſideration.

4. Becauſe, if the houſe of commons intend alſo to give advice to his majeſty, it is very probable that both houſes of parliament may receive ſuch information ſeverally, as will be thought fit to be communicated as ſoon as poſſible; and we conceive no way of doing that can be ſo proper or ſpeedy as in a committee of both houſes.

5. Becauſe, in a time of ſuch imminent danger to the nation, by reaſon of ſo many miſcarriages, as are ſuppoſed generally to be committed, the cloſeſt and ſtricteſt union of both houſes is abſolutely neceſſary to redeem us from all that ruin, which we have too much cauſe to fear is coming upon us.

Shrewſbury, Mulgrave,
Stamford, Cornwallis,
Monmouth, Vaughan,
Crew, De Longueville
Torrington, Montagu,
Granville, Bath,
Marlborough, Macclesfield.
Ayleſbury, Warrington.
Cholmondely, Fitzwalter.

Mr. John Hampden publiſhed about this time a remarkable piece, intitled Some ſhort Conſiderations concerning the State of the Nation. He begins it with remarking, that "Perhaps there "was not any time, in which it "was more neceſſary to join "heads and hearts for the ſer-"vice of our native country, "that ſo a ſafe and effectual "method might be agreed up-"on to bring the nation through "the great and many difficulties "it laboured under; and to at-"tain the end which was pro-"poſed in the late revolution, "and in that war in which it was "engaged for the defence of all "that was dear to us, againſt "thoſe who were ſworn enemies "of our religion and country." He then conſiders that the remedying of all the evils under which the nation laboured, was only to be expected from the parliament; and that, if the parliament ſhould ſeparate what the king had ſo wiſely joined together in his ſpeech, and ſhould either give "aſſiſtance without "advice," or "advice without "aſſiſtance," our affairs would be ruined, and the nation undone.

Mr. Hampden next makes ſome reflections upon the ſtate of the nation, and conſiders it as in a ſtate

gulations, viz. that no man ſhall have above 10,000 l. ſtock, nor under 100 l. every 500 l. to have a vote, and no perſon to have 1692.

a ſtate of war, and againſt whom, and for what ends it was engaged in that war. The perſon againſt whom the war was directed, he tells us, was the French king, who might be ſaid to be in ſome ſort the enemy of mankind, "the deſign of whoſe "whole life had been to eſtabliſh "in Europe what they call an "Univerſal Monarchy, which "might more properly be call-"ed, the enſlaving of all Eu-"rope, and whoſe hatred to all "that bore the name of Proteſt-"ant was inveterate and invin-"cible." The ends of the war were both juſt and neceſſary in the higheſt degree; ſelf-defence, the maintenance of our ancient free government, the aſſerting our rights and liberties; and, above all, the preſervation of the proteſtant religion againſt popery and idolatry. Mr. Hampden then conſiders, in what ſtate and condition we were for the carrying on this great war, "which "had already laſted almoſt four "years, and was likely to laſt "much longer, and at length to "end unhappily, if effectual "methods were not taken by the "parliament to manage it in "ſuch a way, and for ſuch ends "as were conſiſtent with our "ability, preſent condition, and "true intereſt." He proceeds to ſhew, that the nation was not only in a ſtate of war, but alſo in a ſtate of decay and conſuming, and that in many reſpects, as, 1. With reſpect to it's ſhipping; it being incredible what numbers of ſhips had been loſt ſince the beginning of the war. 2. With regard to it's ſeamen; the occaſion of which decay was this, that we had indeed acts of navigation, and one would think our own intereſt ſhould have inclined us ſufficiently to employ our own men in matters of trade; yet there was ſo great opportunity given to employ foreigners by want of convoys, and the breeding of ſeamen being interrupted by the loſs of ſo many of our ſhips, and the giving up the Bank-fiſhing, and Newfoundland-fiſhing, in a manner entirely to the French, that our trade inſenſibly ſlipped from us, our merchants were diſappointed and undone, and our ſeamen diſcouraged and diminiſhed; in whom notwithſtanding conſiſts the true ſtrength and ſafeguard of this iſland. 3. In the decay of our trade: "Not to mention again, "ſays he, the prodigious num-"ber of trading ſhips taken by "our enemies, and the diſcou-"ragement of our ſeamen by "employing foreigners, it is "well known that all nations "now drive on a free trade with "France, and we alone are ex-"cepted from that benefit; "while, on the other hand, we "bear three parts in four of the "charges of this war. The "Swedes, Danes, Portugueſe, "Venetians, and others, take "off the French goods as open-"ly as ever; and the two for-"mer ſupply them with ſhips "and naval ſtores. The Spa-"niards in the Netherlands "maintain as open and regular "a trade with them as in the "time of full peace, without ſo

1692. have more: the governors to have 5000 l. ſtock: the deputy governor 10,000 l. The company to export every year of the Engliſh

" much as a diſguiſe, or the leaſt " pretence of a diſguiſe, though " we know they cannot ſubſiſt " one moment without us; and " therefore we may put a ſtop " to ſuch abuſes and deſtruc- " ive practices whenſoever we " pleaſe. Thoſe who know the " condition of Denmark, know " likewiſe that we might eaſily " have hindered the ſupplies " that have gone from thence " to France; but, though that " were often adviſed and preſ- " ed, yet nothing could be ever " procured to be done. The " Dutch who pretend to be ſo " cloſely united with us in in- " tereſt a this time, have pri- " vate factors every where car- " rying on a trade with France " in the name of other nations; " while we alone loſe the bene- " fit of that trade, which the " reſt of the allies divide among " them. 4. In the loſs and " diminution of our treaſure, " of which the king takes no- " tice in his ſpeech." And this proceeded not only from hiring foreigners for convoys, and foreign importers, who carry away the money that ſhould be divided among our Engliſh ſeamen and traders, as was obſerved above, but principally from thoſe vaſt ſums which were ſent in ſpecie to pay our land army, little of which ever returned into England again; and that which did, was ſo clipped and leſſened, that it would not paſs. " 5. In the " loſs of our men. I ſhall not, " ſays Mr. Hampden, ſay how " many lives have been ſpilt for " the reduction of Ireland, and " how many of them might eaſi- " ly have been ſpared, if things " had been rightly managed at " firſt; nor how many of our " braveſt men periſhed in the " action at Steenkirk, for want " of being ſuſtained as they " might and ought to have " been." He then ſhews that the nation was likewiſe in a ſtate of unſettledneſs in all reſpects, which muſt needs be very dreadful in the midſt of a war. For, 1. It was entirely unſettled as to the government, the king's title, and the legality of it, being as publicly diſputed, and with as little fear of puniſhment, as any point of natural philoſophy in the ſchools at Oxford, or any moot-caſe of law by the ſtudents of the Temple; while others, who pretended to ſubmit to the government, openly renounced and impugned the principles and grounds upon which it was ſet up by the nation; and would not ſuffer any mention to be made of the original contract broken by king James, nor of that new contract made by king William with this nation, in virtue whereof he was king of England; but wrote books and publiſhed them, one while to prove that he was king by conqueſt, another while to prove that he was king by an immediate providence of God, and direction from him; both which were equally deſtructive to the nature of our government, and to all the ends propoſed to be compaſſed in the revolution. Beſides, ſeveral bills and declarations had been offered ſeveral times in parliament for abjuring king

Engliſh manufactures to the value of 100,000 l. and to furniſh the government with five hundred tun of ſalt-petre yearly at a certain 1692.

king James's authority, and declaring king William and queen Mary lawful and rightful king and queen of this realm; but nothing of this kind had been yet brought to perfection. Nor was the nation in an unſettled condition only in reference to the king's title, but likewiſe to the ancient government itſelf, and the time of holding parliaments; for the government could not in any ſort be thought to be ſettled, till the manner and time of calling parliaments, and their ſitting when called, were fully determined, explained, and agreed to. 2. The nation was unſettled as to the quiet enjoyment of our own houſes, from the quartering of ſoldiers in them. 3. From the ſeizing the ſubjects property for tranſport-ſhips, without ſettling any fund to pay them. 4. From the want of proper regulations with regard to trials for treaſon. 5. From the want of ſettling a militia. 6. From the decay of trade by the loſs of ſhips for want of convoys. Mr. Hampden then affirms, that, in the conduct of the war, and the management of affairs at home in reference to it, "There was evidently a vein of "treachery run through it from "one end to the other. How elſe, "ſays he, is it poſſible every "thing ſhould miſgive and miſ-"carry, as we ſee it has done? "How could all our prepara-"tions this year for a deſcent "upon France have been fore-"ſlowed and retarded as they "were, and our men embarked, "only to coſt half a million, "and make us ridiculous to the "whole world, unleſs the hand "of Joab had been in it? — "Who can believe that our vic-"tory at ſea this year ſhould "not have been farther purſued, "if all people employed had "been well intentionated? — "How came we to labour under "ſuch want of intelligence, even "in things, in which it may ſo "eaſily be had, and that for ſo "little money? — When orders "are to be given out for any "deſign, there are ſo many de-"lays, upon one pretence or "other, that the time of execu-"tion is always over before "the orders are received. And "beſides, they are ſo defective, "and in their nature ſo imprac-"ticable (as we have lately ſeen "in the buſineſs of the deſcent) "that it were better none at all "ſhould be given. Are there "deſigns on foot to join with "our enemies, and riſe in fa-"vour of them, as there was "this ſummer, when the French "were coming? Yet nobody is "found out or proſecuted, that "was concerned in it. Every "body knew that horſes and "arms were bought, and ſome "were taken: every county ſaw "that their diſcontented men "flocked up to London: no-"body thought the French would "either provide to come hither, "or ſeek to fight us at ſea, but "but upon ſome ground of "treachery; and yet there could "be nobody diſcovered that had "any correſpondence with them. "Theſe things are indications "ſufficiently plain to any wiſe "man, where the bottom of all

1692. a certain rate. Upon theſe heads the committee reſolved to move the houſe, that a bill might be brought in, to ſettle the ſaid trade.

On the 8th of December, the lords went into a grand committee upon giving advice; and, having before them the eſtabliſhment of the ordnance, they found upon it two Dutch officers, colonel Gower, colonel of the Engliſh train abroad, and Mr. Meeſters, keeper of the ſtores at home; and thereupon, after ſome debate, it was reſolved humbly to adviſe his majeſty to remove them both from the ſaid employments. Meeſters having another poſt, that of comptroller of the train abroad, there was not much oppoſition made to the removing him from this; but the queſtion about colonel Gower was

" this miſchief lies. But none " are ſo blind as thoſe who will " not ſee."

Mr. Hampden concludes with theſe words: " All theſe things " put together, make a conſi- " derable part of the melancho- " ly and miſerable ſtate of the " nation at this preſent time. If " it be aſked, what ſhall be done " to remove all theſe evils? I " ſay, the firſt ſtep towards a " cure is well to underſtand our " diſeaſe; and, if the parlia- " ment can be thoroughly ſen- " ſible of theſe things, and make " the king likewiſe ſenſible of " them, the very nature of the " diſeaſe will of itſelf lead to the " proper remedies. Therefore " I am humbly of opinion, that " the parliament ſhould begin " by a moſt humble, dutiful, and " reſpectful addreſs to his ma- " jeſty, repreſenting to him the " true ſtate of the nation in it's " preſent circumſtances, return- " ing thanks in the moſt humble " and affectionate manner ima- " ginable for that gracious ex- " preſſion of demanding the ad- " vice of the parliament, and " aſſuring him that neither their " advice nor aſſiſtance ſhall be " wanting for maintaining and " defending his perſon and go- " vernment againſt the attempts " of all his enemies; as on their " ſide, after what he has ſaid " at the opening of this ſeſſion " of parliament, they cannot " doubt but his majeſty will " heartily concur with them in " what they ſhall adviſe for his " honour, ſafety, and greatneſs, " and the good of the nation. " After this the parliament will " proceed to offer to his majeſty " ſuch bills, as may be moſt " proper to remedy the griev- " ances of which we complain; " and at the ſame time that they " give money for carrying on " the war, will adviſe ſuch mea- " ſures as may beſt enable his " majeſty to bring down the ex- " ceſſive power of France, and " at the ſame time to ſecure the " happineſs and liberties of the " Engliſh nation. If debates are " free and clear within doors, ſo " as to encourage thoſe without " to hope that there is really a " probability of ſomething to be " done for the good of the na- " tion, there will be farther pro- " poſals made of ſuch things as " are thought moſt proper and " neceſſary to be done at this " time."

carried

carried againſt him by forty-one voices againſt thirty-eight. 1692.
After this there aroſe ſome debate, whether the earl of Nottingham's relation ſhould be referred to a committee of the whole houſe, or to a ſelect committee; and it was reſolved, as his lordſhip himſelf deſired, that it ſhould be conſidered of in a committee of the whole houſe.

The commons were likewiſe the ſame day upon giving advice; and ſir Richard Temple having moved, that, in purſuance of the king's ſpeech, they would conſider how to pay the forces abroad, by ſending over Engliſh manufactures, and ſo preventing the exportation of ſo much money yearly; and, this motion being ſeconded, it was reſolved, that a committee ſhould be appointed to conſider thereof. The houſes being then deſirous of riſing, ſir Francis Winnington the chairman was called upon to leave the chair; which, after having put the uſual queſtion, he did accordingly, and the ſpeaker reſumed the houſe. But, as they had omitted in the committee to direct their chairman to report what they had done to the houſe, and to deſire leave to ſit again, no report could be made, and ſo the votes, which they had paſſed in the committee, fell to the ground: but the committee was revived by the houſe, and appointed to ſit again on the Monday following.

On the 9th of December, the commons proceeded upon the eſtimates about the land forces. They had already agreed to the fifty-four thouſand men, to the charge of the general officers, the train, and the tranſports; and now they agreed to give 200,000l. more for hoſpitals and other extraordinary charges, being deſirous to throw theſe together, becauſe in the article about the ſubſidies to the dukes of Savoy and Hanover, and the other about the three Saxon regiments, it was ſaid that the king paid two thirds, and the Dutch one, which proportion the houſe was unwilling to allow of, but put the ſeveral ſums together under one general head, though with an abatement of 35,000 l. which they thought the eſtimates might very well bear. A motion was then made in behalf of the duke of Wirtemburg and the majors-general Tetteau and la Foreſt, who commanded the Daniſh troops, that their particular pay might be according to the Engliſh eſtabliſhment, and not according to the Dutch which they were then upon; and this was agreed to, in conſideration of their good ſervices. And thus the houſe agreed to the whole ſtate of the war for the enſuing year; their next buſineſs being to conſider of ways to raiſe the funds for the ſame.

In

1692. In the houſe of lords, the ſame day, the earl of Nottingham's relation, with the original papers therein mentioned, were read; and, becauſe there ſeemed to be ſome reflection made therein upon admiral Ruſſel, who was a member of the houſe of commons, their lordſhips appointed a committee to conſider how they might come to ſpeak with the admiral, and to know what he had to ſay in anſwer thereunto.

Their lordſhips likewiſe, on the 10th, reſumed the conſideration of the earl of Nottingham's relation, and, after ſome debate, reſolved to appoint a committee to draw up an abſtract of what the earl had farther by word of mouth told the houſe, that more nearly affected admiral Ruſſel, as if he had been wanting in ſeveral things, which were incumbent upon him. The committee thereupon met, and a queſtion aroſe, whether their account ſhould be drawn up as coming from the houſe, or from the earl of Nottingham; and the firſt was reſolved on; and, to prevent all miſtakes and further delays, the earl was deſired to draw up himſelf the ſubſtance of what he had ſaid to the houſe.

Among other advices which the lords reſolved about this time to give to his majeſty, one was, that, when the Engliſh forces were joined with the Dutch, his majeſty would be pleaſed to give the precedence to the former; and that an Engliſh officer might command all Dutch officers of the ſame rank, though his commiſſion be of a later date. This was grounded upon a treaty, which the earl of Marlborough told the houſe was made at the beginning of the war, and of which he produced a copy, it being anſwered upon the application they made to the king for the treaty, that it could not be found.

The commons, on the 10th of December, voted a ſupply for the navy of two millions and ninety thouſand pounds, as they had before granted one million nine hundred and twenty-five thouſand pounds for the fleet; which together amounted to above four millions, without reckoning ſeven hundred and fifty thouſand pounds for the deficiency of the laſt year's poll-tax, and ſix hundred thouſand pounds for the civil liſt. The ſame day they agreed to the report about the Eaſt-India trade; and after that, read for the firſt time the bill for the better preſervation of the government, in which there was appointed a new oath to be taken by all perſons in offices.

The day following, December 12th, the houſe deſigned to have proceeded upon the advice to the king; but Mr. Ruſſel informing them, that he heard ſome papers relating to the

the laſt ſummer's expedition would be ſent them from the lords, and deſiring that the farther conſideration of this matter might therefore be deferred for ſome days, it was accordingly adjourned till the Friday following. 1692.

On the 13th, the commons ordered a bill to be brought in, that no perſon ſhould for the future be elected a member of parliament, who had any other employment or office of profit; and that no member of the preſent houſe ſhould, during his being ſuch, accept of any office or employment. After this, they proceeded to the ſupply, and reſolved, that there ſhould be raiſed four ſhillings in the pound upon lands and offices.

The houſe of lords, on the 15th, had a warm debate about the foreign forces then in England, upon a motion, that his majeſty ſhould be humbly adviſed to ſend them all away; and at laſt it was reſolved to adviſe him not to bring any more foreign troops into the kingdom; but that thoſe already here, which were four Dutch and three French regiments, might continue.

On Wedneſday the 14th, the commons had likewiſe a long debate about the bill for preſerving the government. The main objection againſt it was, that it made words treaſon, which would make people unſafe even among their own ſervants and in their own families; and that the oath to be taken by all perſons in offices was, that, "during their lives," they ſhould ſtand by their majeſties againſt king James and all other pretenders; which, it was ſaid, laid an obligation upon people beyond what was in their power to be anſwerable for. To this it was replied, that any thing, that was thought amiſs, might be amended in the committee, but that the ſcope and ſubſtance of the bill was certainly very neceſſary at that time. But the bill was at laſt thrown out by two hundred againſt one hundred and ſeventy-five, the court-party being divided upon it[p]. The next day they took into conſideration a new project for borrowing a million, and reſolved to make it part of the ſupply. The project was, that ten thouſand perſons ſhould lend one hundred pounds each; that a fund of ſeventy thouſand pounds ſhould be ſettled out of the hereditary exciſe to pay the intereſt at ſeven per cent. which was to be divided among the lenders, and the ſurvivors of them during their lives, provided that no man ſhould at any time have above ten thouſand pounds per annum.

[p] Biſhop Burnet obſerves, that the king himſelf was more ſet on this abjuration of king James, than he had been formerly. Vol. ii. p. 103.

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1692. The next day, December the 16th, they went into a grand committee for giving advice to his majeſty, and it was moved, that he ſhould be adviſed to remove colonel Gower and Mr. Meeſters, two Dutch officers, out of the ordnance, which occaſioned a debate of above two hours: at laſt it was ſaid by ſeveral generals, that this was a trivial matter, not worth the ſpending their time about; and that, if they had nothing of more weight to lay before the king, they might go to their dinners: which motion was ſo well liked, that the committee adjourned, and the ſpeaker took the chair without appointing any time for their next ſitting.

On the 17th, the bill "for aſcertaining the fees of officers of juſtice," was rejected by the commons, being the ſame which had paſſed the two houſes the preceding ſeſſion, but was then rejected by the king.

Two days after, the papers given in to the houſe of lords by the earl of Nottingham, concerning the laſt ſummer's expedition, being communicated to the commons at a conference, they were read in that houſe, when admiral Ruſſel, who thought himſelf reflected on in them, made anſwer thereto in his place, ſo much to the ſatisfaction of the houſe that they paſſed a vote, "That he had behaved himſelf during the laſt expedition with fidelity, courage, and conduct;" and ordered that this vote ſhould be communicated to the lords at a conference the next day. Beſides this, there were ſome warm ſpeeches made in the houſe; and it was even moved by Mr. Comptroller Wharton, that an addreſs ſhould be made to the king, to remove the earl of Nottingham; but that motion fell to the ground.

The vote of the houſe of commons in favour of admiral Ruſſel was communicated to the lords at a conference on the 21ſt of December, and at the ſame time the narrative and other papers concerning the laſt ſummer's expedition, were returned to them; which being reported to the houſe of lords, ſome of their lordſhips obſerved that this proceeding of the commons ſeemed to be ſomewhat irregular and unparliamentary in returning the papers ſo haſtily, without taking any time to conſider of them; and it was moved to deſire a free conference with them upon it. But it was at laſt reſolved to look into precedents, and to appoint a committee for that purpoſe.

The commons, on the 21ſt, went into a grand committee to review the book of rates payable upon goods exported and imported; wherein they made ſome alterations, though they proceeded no farther than the letter C. And the day following

ing they read for the firſt time a bill for raiſing four ſhillings in the pound upon real and perſonal eſtates, which, it was ſuppoſed, would amount to two millions; and they paſſed the bill "touching free and impartial proceedings in par- "liament," which was afterwards ſent up to the lords for their concurrence.* The deſign of it was to prevent men, after they were choſen members of parliament, from accepting any places of profit; for, though any perſon who was in an office already might be choſen, yet, if he accepted one whilſt he was a ſitting member, he was to loſe his ſeat in parliament, and to be incapable of being choſen again, but the ſpeaker for the time being was excepted. After this, the buſineſs of the Eaſt-India company ſhould have come on, but a printed paper having been diſperſed in the lobby of the houſe, wherein the chief ſticklers againſt the old company were all named, and recommended as the only fit perſons to have the direction of the new company, ſince they had carried on this affair with great charge and loſs of time; and, there being among them ſeveral parliament-men, one of them made complaint thereof to the houſe, as being deſigned for a reflection upon them; but the houſe treated it with contempt, and being grown cool upon the *Eaſt-India* buſineſs, and Mr. Smith, who uſed to be their chairman, going out of the houſe to avoid it, the further conſideration of the affair was deferred to the 29th of December; which gave great encouragement to the old company. 1692.

On the 23d the commons were to have received the report from the committee for giving advice to the king; but it ſeemed that the houſe was grown weary of that matter, for it was adjourned ſine die.

On the 28th of December, the commons made ſome progreſs in the money-bill; and the day following, in a grand committee upon the Eaſt-India buſineſs, went through ſeveral regulations, and particularly agreed to that for a new ſubſcription of a ſtock not exceeding two millions, and not under one million five hundred thouſand pounds.

In the houſe of lords, the committee appointed to look into precedents, in order to a free conference with the commons upon their late vote concerning admiral Ruſſel, reported ſome precedents, which came near to the point in queſtion; upon which their lordſhips on the 30th reſolved to demand ſuch a conference the next day. Accordingly the ſame day meſſengers came from the lords to the commons for that purpoſe; but, it being put to the queſtion, whether they ſhould agree to the free conference deſired by the lords,

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1692. it was carried in the negative by ſeventy-eight againſt ſixty-one.

The lords, on the 31ſt of December, read the ſecond time the bill ſent up from the commons "touching free and "impartial proceedings in parliament." Great endeavours were uſed to throw it out; but at laſt it was reſolved by a majority of nine voices, that it ſhould be committed to a committee of the whole houſe.

The ſame day the commons made ſome further progreſs in the money-bill, as they did likewiſe on the 2d of January; and the day following went through it to the blanks for the commiſſioners names, which were to be filled up the next day. They received likewiſe a meſſage from the lords, that they had appointed eleven of the clock the next morning for the free conference; and thereupon named managers for the ſame, who were only to hear what the lords had to ſay to them, and to report it to the houſe.

The lords were, on the 2d of January, in a committee upon the bill "for free and impartial proceedings in "parliament," and went through it, and made all the clauſes of it; but, when it came to be reported to the houſe, after a long debate, the bill was thrown out by two voices, the majority of proxies, which are not allowed of in a committee, being againſt the bill.

Remark on the bill for free and impartial proceedings in parliament. Burnet.

It is remarked on this bill, that, when the party that was ſet againſt the court ſaw they could carry nothing in either houſe, they turned their whole ſtrength againſt the preſent parliament, to force a diſſolution. They began with giving it the name of an ill ſound, calling it the officers parliament, becauſe many that had commands in the army were of it; and the word that they gave out among the people was, that we were to be governed by a ſtanding army and a ſtanding parliament. Then they tried to carry this bill, for rendering all members of the houſe of commons incapable of places of truſt or profit. The truth was, it came to be obſerved, that ſome got credit by oppoſing the government, and, to ſilence them, they were preferred: and then they changed their note, and were as ready to flatter, as before to find fault. This gave a ſpecious colour to thoſe who charged the court with deſigns of corrupting members, or at leaſt of ſtopping their mouths by places and penſions. Though the bill had paſſed the commons with little difficulty (thoſe in places having not ſtrength to make great oppoſition, being looked on as parties, and thoſe out of places not having courage to oppoſe it, as it would have looked like recommending

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ing themſelves to one), it was however rejected by the lords, 1692-3.
ſince it ſeemed to eſtabliſh an oppoſition between the crown and the people, as if thoſe, who were employed by the one, could not be truſted by the other. The earl of Mulgrave exhauſted his eloquence in a celebrated ſpeech on this occaſion [q].

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[q] In this debate, Sheffield earl of Mulgrave made the following remarkable ſpeech:

"My lords,

"This debate is of ſo great "conſequence, that I reſolved to "be ſilent, and rather to be ad- [illegible] "a man here from doing one's "duty to the public in a buſi- "neſs, where it ſeems to be ſo "highly concerned.

"I have always heard, I "have always read, that foreign "nations, and all this part of "the world have admired and "envied the conſtitution of this "government. For, not to "ſpeak of the king's power, "here is an houſe of lords to "adviſe him on all important "occaſions about peace or war; "about all things, that may "concern the nation, the care "of which is very much intruſt- "ed to your lordſhips. But yet, "becauſe your lordſhips cannot "be ſo ſo converſant with the "generality of the people, nor "ſo conſtantly in the country, "as is neceſſary for that pur- "poſe, here is a houſe of com- "mons alſo choſen by the very "people themſelves, newly "come from among them, or "ſhould be ſo, to repreſent all "their grievances, to expreſs "the true mind of the nation, "and to diſpoſe of their money, "at leaſt ſo far as to begin all "bills of that nature; and if I "am not miſtaken, the very "writs for elections ſent down to "the ſheriffs does impower them "to chuſe; what? Their re- "preſentatives.

"Now, my lords, I beſeech "you to conſider the meaning "of that word, repreſentative. "Is it to do any thing contrary "to their mind? It would be "abſurd to propoſe it. And "yet how can it be otherwiſe, "if they, after being choſen, "change their dependency, en- "gage themſelves in employ- "ments plainly inconſiſtent with "that great truſt repoſed in "them? And that I will take "the liberty to demonſtrate to "your lordſhips they now do, "at leaſt according to my hum- "ble opinion.

"I will inſtance firſt in the "leaſt and loweſt incapacity "they muſt be under, who ſo "take employments. Your lord- "ſhips know but too well, what "a general careleſſneſs there "appears every day more and "more in the public buſineſs. "If ſo, how is it likely, that "men ſhould be as diligent in

"their

1692-3. The commons on the 4th of January reſumed the Eaſt-India buſineſs, wherein they made ſome further progreſs, and reſolved particularly by a majority of voices in a thin houſe, that the ſubſcription for a new ſtock ſhould be begun within ten

" their duty in parliament, as that " buſineſs requires, where em- " ployments and a great deal of " other buſineſs ſhall take up both " their minds and their time? " But then in ſome caſes it is " worſe, as in commands of the " army, and other employments " of that kind, when they muſt " have a divided duty. For it " does admirably become an of- " ficer to ſit voting away money " in the houſe of commons " while his ſoldiers are perhaps " taking it away at their quar- " ters for want of his preſence " to reſtrain them, and of bet- " ter diſcipline among them. " Nay, perhaps his troop or " regiment may be in ſome ac- " tion abroad; and he muſt " either have the ſhame of being " abſent from them at ſuch a " time, or from that houſe, " where he is intruſted with our " liberties.

" To this I have heard but " one objection by a noble " lord, that, if this act ſhould " paſs, the king is not allowed " to make a captain, a colonel, " without diſabling him to ſit " in parliament. Truly, if a " captain has only deſerved to " be advanced for expoſing him- " ſelf in parliament, I think the " nation would have no great " loſs in the king's letting alone " ſuch a preferment.

" But, my lords, there is ano- " ther ſort of incapacity yet " worſe than this; I mean that " of parliament-mens having " ſuch places in the exchequer, " as the very profit of them " depends on the money given " to the king in parliament. " Would any of your lordſhips " ſend and intruſt a man to " make a bargain for you, whoſe " very intereſt ſhall be to make " you give as much as he can " poſſibly? It puts me in mind " of a farce, where an actor " holds a dialogue with him- " ſelf, ſpeaking firſt in one tone, " and then anſwering himſelf in " another. Really, my lords, " this is no farce, for it is no " laughing matter to undo a " nation. But it is altogether " as unnatural for a member " of parliament to aſk firſt in the " king's name for ſuch a ſort " of ſupply, give an account " from him how much is need- " ful towards the paying ſuch " an army, or ſuch a fleet, and " then immediately give by his " ready vote, what he had be- " fore aſked by his maſter's or- " der.

" Beſides, my lords, there is " ſuch a neceſſity now for long " ſeſſions of parliament, and " the very privileges belonging " to members are of ſo great " extent, that it would be a lit- " tle hard and unequal to other " gentlemen, that they ſhould " have all the places alſo. All " the objections, that have been " made, may be reduced to " theſe:

" Firſt, it is told us, that it " is a diſreſpect to the king; " that

ten days after the paſſing of the act; which vote did at firſt lower a little the actions of the old company, but they ſoon roſe 1692-3.

"that his ſervants or officers ſhould be excluded.

"To this, I deſire it may be conſidered, that it is in this caſe as when a tenant ſends up any body to treat for him. Would any of your lordſhips think it a diſreſpect, nay, would the king himſelf think it any, if the tenant would not wholly refer himſelf to one of your own ſervants, or the king's commiſſioners in the caſe of [illegible] ch[illegible] f[illegible] a[illegible] b[illegible] th[illegible]

"[illegible] even [illegible] choſen, notwithſtanding their employments, provided the electors know it firſt, and are not deceived in their choice.

"All we would prevent is, that a good rich corporation ſhould not chuſe to intruſt with all their liberties a plain honeſt country neighbour, and find him within ſix months changed into a preferred cunning courtier, who ſhall tie them to their choice, though he is no more the ſame man, than if he were turned papiſt, which by the law, as it ſtands already, puts an incapacity upon him.

"Another objection is, that this act may by its conſequence prolong this parliament, which they allow would be a very great grievance; and yet ſuppoſe the king capable of putting it upon us, which I have too much reſpect for him to admit of; though I am glad, however, that it is objected by privy counſellors in favour, who conſequently, I hope, will never adviſe a thing, which they now exclaim againſt as ſo great a grievance.

"But pray, my lords, what ſhould tempt the king to ſo ill a policy? Can he fear a freedom of choice in the people, to whoſe good will he owes all his power, which theſe lords ſuppoſe he may uſe to their prejudice? And therefore give me leave to ſay, as I muſt not ſuſpect him of ſo ill a deſign as the perpetuating this parliament, ſo he cannot, he ought not, to ſuſpect a nation, ſo intirely, I was going to ſay, ſo fondly devoted to him.

"My lords, no man is readier than myſelf to allow, that we owe the crown all ſubmiſſion as to the time of calling parliaments according to law, and appointing alſo where they ſhall ſit. But with reverence be it ſpoken, the king owes the nation intire freedom in chuſing their repreſentatives; and it is no leſs his duty, than it is his true intereſt, that ſuch a fair and juſt proceeding ſhould be uſed towards us.

"Conſider, my lords, of what mighty conſequence it may be, that ſo many votes ſhould be free, when upon one ſingle one may depend the whole ſecurity or loſs of this nation. By one ſingle vote ſuch things may happen, "that

1692-3. roſe again to a hundred and thirty, as they were before, upon a belief, that the parliament would not have time to finiſh the buſineſs that ſeſſion.

The lords in their free conference with the commons on the 4th of January repreſented to them, that the houſe of lords did look upon the late vote and proceeding of the com-

" that I almoſt tremble to think. " By one ſingle vote a general " exciſe may be granted, " and then we are all loſt. By " one ſingle vote the crown " may be impowered to name " all the commiſſioners for ra ſ- " ing the taxes; and then ſure- " ly we ſhould be in a fair way " towards it. Nay, whatever " has happened, may again be " apprehended; and I hope " thoſe reverend prelates will " reflect, that if they grow once " obnoxious to a prevalent par- " ty, one ſingle voice may be " as dangerous to that bench, " as a general diſſatisfaction " among the people proved to " be once in a late experience; " which I am far from ſaying " by way of threatening, but " only by way of caution.

" My lords, we may think, " becauſe this concerns not the " houſe of lords, that we need " not be ſo over-careful of the " matter. But there are noble- " men in France, at leaſt ſuch " as were ſo before they were " inſlaved; who, that they " might domineer over others; " and ſerve a preſent turn per- " haps, let all things alone ſo " long till the people were quite " mattered, and the nobility " themſelves too, to bear them " company. So that I never " met a Frenchman even of the " greateſt rack (and ſome had " ten thouſand piſtoles a year " in employments) that did not " envy us here for our freedom " from that ſlavery, which they " groan under. And this I have " obſerved univerſally, except " juſt monſieur Louvois, mon- " ſieur Colbert, or ſuch people, " becauſe they were the mini- " ſters themſelves, who occa- " ſioned theſe complaints, and " thrived by the oppreſſion of " others.

" My lords, this country of " ours is very apt to be pro- " voked. We have had a late " experience of it; and though " no wiſe man but would bear " a great deal rather than make " a buſtle, yet really the people " are otherwiſe, and at any time " change a preſent uneaſineſs " for any other condition, tho' " a worſe. We have known it ſo " too often, and ſometimes re- " pented it too late. Let them " not have this new provoca- " tion, in being debarred from " a ſecurity in their repreſenta- " tives; for malicious people " will not fail to infuſe into " their minds, that all thoſe vaſt " ſums, which have been and " ſtill muſt be raiſed towards " this war, are not diſpoſed " away in ſo fair a manner, as " ought to be; and I am afraid " they will ſay their money is " not given, but taken.

" However, whatever ſuc- " ceſs this bill may have, there " muſt needs come ſome good " effect of it. For, if it paſſes, " it will give us ſecurity: If it " be obſtructed, it will give us " warning." Pt. II. L. J. 413.

mons

mons in returning them the papers about the laſt ſummer's expedition to be irregular and unparliamentary. For having tranſmitted thoſe papers to them for their information in a matter, wherein ſeveral perſons ſeemed to be concerned, their lordſhips expected, that they would not only have duly conſidered of them, but likewiſe have given their lordſhips communication of what they had before them relating to that matter, and which they grounded their vote upon. This was the ſubſtance of what the earl of Rocheſter ſaid, and afterwards gave in writing to colonel Granville; who anſwered, that they had nothing to ſay, but were only to report to the houſe what they had received from their lordſhips [r]. 1692-3.

On the 12th of January, the Lords reſumed the buſineſs of giving advice to the king; and it was moved, that his majeſty ſhould be humbly adviſed to demand both the Hollanders and Spaniards cautionary towns, as Oſtend, Newport, Sluyce, &c. which occaſioned a long debate: but the queſtion being at laſt put, whether cautionary towns ſhould be deſired for our troops then abroad, without naming either Dutch or Spaniards, it was carried in the negative by thirty-ſix againſt twenty-four voices.

The commons of the 14th, had a long debate about the commiſſioners of the admiralty. A motion had been made, that his majeſty be adviſed to conſtitute a commiſſion of the admiralty of ſuch perſons, as were of known experience in maritime affairs; which upon the queſtion paſſed in the negative [s], and now an addreſs was voted, that, for the future, all orders for the management of the fleet ſhould paſs through the hands of the lords commiſſioners for executing the office of lord high-admiral. This was thought to point at the earl of Nottingham. The day following, they paſſed the bill for the land tax, and ſent it up to the lords.

[r] The earl of Nottingham, it ſeems, had aggravated Ruſſel's errors and neglects very ſeverely. But the houſe of commons juſtified Ruſſel, and gave him thanks over and over again; and remained ſo fixed in this, that, though the lords communicated the papers, the earl of Nottingham had laid before them, to the commons, they would not ſo much as read them, but renewed their firſt votes that juſtified Ruſſel's fidelity, courage, and conduct. Burnet, II. 103.

[s] This motion was occaſioned by a conſtant clamour in the city of London againſt the management of the admiralty with reſpect to convoys and cruizers. One of the lords of the admiralty, being applied to by ſome Barbadoes merchants for convoy, and preſſing him to provide it, he anſwered, they needed not to have given themſelves that trouble; for the Virginia convoy would be ordered to take care of their ſhips.

1692-3. On the 13th, the lords read the money-bill for the firſt time, and the next day reſolved to add a clauſe, to impower the lords to appoint commiſſioners of their own, to aſſeſs their perſonal eſtates.

The commons the ſame day were in a committee of the whole houſe upon the bill for raiſing a million, but made no great progreſs therein, becauſe ſir John Sommers the attorney-general, who was obliged to attend the houſe of lords on lord Banbury's caſe, who, having committed a murder, claimed his peerage, left the chair, which he did ſomewhat abruptly, not without giving ſome diſguſt to the houſe; and at the ſame time the lords were diſpleaſed likewiſe, becauſe they ſtayed for him [illegible] the perſonal eſtates, which every perſon had for him, was the reaſon, that no notice was taken of it further than the lords appointed a committee to enquire how far the attorney-general is obliged, of his poſt, to attend their houſe.

On the 16th, the m[illegible] read the laſt time in the houſe of lords, and paſſ[illegible] by they taxed themſelves [illegible] committee upon the bill "[illegible] "*of parliaments*," which [illegible] Shrewſbury. They agreed, that a parliament ſhould meet every year, and that there ſhould be a new one every three years, and then came to the clauſe, which declares, that if the king ſhould not order new writs to be iſſued out, the lord chancellor or commiſſioners of the great ſeal ſhould do it by their own authority under ſevere penalties. But this was poſtponed, and they proceeded to the next point, which was, when the preſent parliament ſhould determine; ſome propoſing one, others two, and others again three years; but this debate was adjourned.

The commons ſpent a great deal of time the ſame day upon the bill for raiſing the million, and reſolved to put the project two ways; that is, that thoſe, who ſhould ſubſcribe their money with the benefit of ſurvivorſhip, were to have but ſeven per cent. and thoſe, who ſhould ſtand only upon their own lives, fourteen per cent. The day following they were again upon the ſame bill; and, having gone through it, ordered it to be reported the next day.

On the 17th the lords ſent back the money-bill with the additional clauſe to the commons, who diſagreed "nemine "contradicente" to that clauſe, as an incroachment upon their fundamental rights in the article of giving money, and

ſent to the lords to deſire a conference thereupon; but, their lordſhips making their meſſengers wait a conſiderable time, becauſe they were engaged in a debate upon the lord Banbury's claim of peerage, the houſe of commons, who had nothing to do, and began to be weary with expecting the return of their meſſengers, ſent for them back, and then adjourned. 1692-3.

The day following the lords in a committee of the whole houſe went through the bill, "for the calling and meeting "of frequent parliaments," and ordered it to be engroſſed. It enacted, that there ſhould be a new parliament every three years, and meet every year; and that the preſent parliament ſhould continue no longer than till the firſt day of January following. They ordered likewiſe a bill to be engroſſed, by which all perſons in offices were to take a new oath, that they would be faithful to their majeſties king William and queen Mary, and aſſiſt them againſt the late king James and all his adherents.

The ſame day the managers for the commons went to a conference with the lords, to whom they repreſented, that the commons had diſagreed to the clauſe added by their lordſhips to the money bill, as being a notorious incroachment upon the rights of the houſe of commons, to order and ſettle all matters relating to the giving of money, which their anceſtors had been ſo jealous of, that they thought it a diminution of this their fundamental privilege to give their lordſhips any reaſon for the ſupporting of it. The lords having made a report thereof to their houſe, the conſideration of that matter was adjourned till the next day, when their lordſhips after a long debate, reſolved to recede from the ſaid clauſe, which was carried by ſo great a majority, that the houſe did not divide upon it. After this the houſe appointed a committee to draw up reaſons for their quitting this clauſe, to be communicated to the commons the next day, to this effect, that their lordſhips did for the preſent depart from this point purely in conſideration of the preſſing exigency of affairs, being otherwiſe of opinion, that of right they might have inſiſted upon it.

The ill humour, it ſeems, which thus ſhewed itſelf in the houſe of lords, was chiefly managed by the marquis of Hallifax and the earl of Mulgrave. They had drawn in the earl of Shrewſbury, who was very ill pleaſed with the credit that ſome had with the king, and lived in a particular friendſhip with the earl of Marlborough, whom he thought was both ungratefully and unjuſtly perſecuted. Thoſe lords had all

1692-3. king James's friends, ready to aſſiſt them in every thing that could embroil matters. A great many Whigs, who were diſcontented and jealous of the miniſtry, joined with them: but they knew that all their murmurings would ſignify little, unleſs they could ſtop a money bill. Wherefore as it was ſettled in the houſe of commons as a maxim, that the lords could not make any alterations in money-bills, they put their ſtrength to carry a clauſe in the land tax-bill, that the peers ſhould tax themſelves. And though, in the way in which the clauſe was drawn up, it could not be defended, yet they did all that was poſſible to put a ſtop to the bill, and with unuſual vehemence preſſed for a delay till a committee ſhould be appointed to examine precedents. The duke of Mulgrave preſſed for many hours with great force of argument and eloquence. He inſiſted much upon the dignity of peerage; and made this which was now propoſed to be ſo eſſential a part of that dignity, that he endeavoured to convince the lords, that, if they yielded to it, they diveſted themſelves of their true greatness, and nothing would remain but the name and ſhadow of a peer, which was but a pageant. But, after all the force of this rhetoric, the lords conſidered the ſafety of the nation, more than the ſhadow of a privilege, and ſo dropped their clauſe.

On the 20th of January, a complaint was made in the commons of a printed pamphlet, lately publiſhed with licence, and ſaid to be written by Charles Blount, Eſq; intitled king William and Queen Mary Conquerors, as containing aſſertions of dangerous conſequence to their majeſties, to the liberties of the ſubject, and to the peace of the kingdom. The houſe therefore, upon examination of the matter, ordered, the next day, the ſaid pamphlet to be burnt by the hand of the common hangman, and that his majeſty be deſired to remove Mr. Edmund Bohun, the licenſer, from his employment, for having allowed the ſame to be printed. It was at the ſame time ſuggeſted, that Dr. Burnet, biſhop of Saliſbury, was the inventor of the notion of their majeſties being conquerors, which he had firſt of all publiſhed in his paſtoral letter. This occaſioned a debate of ſeveral hours, but at laſt it was carried by one hundred and ſixty two againſt one hundred and fifty-five, that the ſaid Paſtoral Letter ſhould be burnt by the common hangman. There was likewiſe complaint made by one of the members, of a book written on the ſame ſubject, by Dr. William Lloyd, biſhop of St. Aſaph, intitled A diſcourſe of God's ways of diſpoſing of kingdoms; but that motion fell.

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The lords likewiſe took into conſideration the book intitled King William and Queen Mary Conquerors, and ordered it to be burnt the next morning in the Old Palace-Yard in Weſtminſter, and afterwards paſſed this vote: "That the "aſſertion of king William's and queen Mary's being king "and queen by conqueſt was highly injurious to their ma- "jeſties, and inconſiſtent with the principles, on which this "government is founded, and tending to the ſubverſion of "the rights of the people." This vote they reſolved to communicate to the commons at a conference the next morning, and to deſire their concurrence thereunto; which was given by the latter with the remarkable addition of ſome words, viz. "injurious to their majeſties rightful title to "the crown of this realm." The ſame day their lordſhips paſſed the bill for raiſing a million upon lives, and the commons went through the Book of Rates, and laid ſeveral new impoſitions upon ſome commodities, that were imported, which they propoſed to give for three years, and thereby to raiſe 500,000 l. 1692-3.

On the 25th, the lords read the ſecond time the bill for the new oaths to be taken by all perſons in offices, and after a long debate it was carried by a majority of two voices, there being thirty-eight againſt thirty-ſix that the bill ſhould be committed.

The day following the commons proceeded upon the report of the committee about laying new impoſitions upon ſeveral foreign commodities; and amongſt the reſt they laid 8 *l.* a tun upon French wines, the act of prohibition being expired.

The commons on the 27th of January, appointed the bill for the frequent calling and meeting of parliaments to be read the next day, which was accordingly done, and occaſioned a long debate, great endeavours being uſed to throw it out; but it was at laſt carried, that it ſhould be read a ſecond time on the Thurſday following.

On the 31ſt, the lords ſate in Weſtminſter-Hall upon the trial of the lord Mohun, for the murder of Mr. William Mountfort the player, the lord preſident being lord high-ſteward; and after examination of the witneſſes, which laſted till five in the afternoon, their lordſhips withdrew to their own houſe, and, after ſome debate, adjourned the court till the next morning, and ſet a fine of 100 l. each upon the lord Faulconberg, lord Newport, lord Lovelace, and lord Leigh, for going away before the houſe was adjourned; which they excuſed the next day on account of their being faint and quite ſpent with ſo long an attendance. On Wedneſday morning,

1692-3. February the 1st, the lords met again in their own house, and continued together till seven at night without going down to the court in Westminster-Hall, spending the whole day in stating and debating several points of law, without taking any resolution thereupon, further than that it was resolved, that every peer might ask the judges in open court what question he pleased as to points of law; and then they adjourned till the 3d, the day before being Candlemas day, on which the courts of judicature do not use to sit.

On the 2d of February the commons read the second time the bill for the frequent calling and meeting of parliaments, and committed it.

On the 3d, the lords met in their own house, and debated about the questions [illegible] in the [illegible] several questions [illegible] Mohun the prisoner; [illegible] their own house, to [illegible] journed the court till the next [illegible] them found the prisoner [illegible] him [t].

The commons, on the 7th of February, went into a grand committee upon the bill for the frequent calling and meeting of parliaments, and divided about the parliament's meeting every year, which was determined in the affirmative by a hundred and seventy-one against a hundred and sixty. After which they went through the bill, and made the following amendment, that whereas is was said, that the present parliament should determine the 1st of January next, they extended it to the 24th of March, or sooner, as his majesty should think fit; the design of that amendment being, that the parliament might hold another winter session, if his majesty

[t] In the beginning of February 1692-3, the lord Mohun was indicted for the murder of William Mountfort the player, who, for his good action on the stage and good nature in life, was a great favourite of the town. A rakish officer had made lewd addresses to Mrs. Bracegirdle, the famous actress, which she returning with disdain, the man resolved to get his will of her by force. Mountfort coming from her lodgings, having seen her safe home, was attacked by this officer and basely murdered. The lord Mohun, being present when the murder was committed, was apprehended, imprisoned in the Tower, and brought to his trial for it before his peers in Westminster-Hall, the marquis of Carmarthen being constituted lord high-steward. After a trial of several days he was acquitted.

jeſty pleaſed. A clauſe was offered to be added to the bill to ſave the king's right of diſſolving and proroguing the parliament; but it was rejected by a majority of ſeven voices, becauſe it was thought to caſt a reflection upon the bill, as if it were derogatory to his majeſty's prerogative; which they would not allow it to be, but only an explanation of the old law. 1692-3.

The next day the commons were again in a grand committee upon the ways of raiſing the reſt of the ſupply. They reckoned they had already given five millions, viz. two millions by the land-tax; one million by the project for raiſing money upon lives; one million out of the ſtanding revenues; five hundred thouſand pounds by continuing the duties upon wine, vinegar, and tobacco, which were to expire in 1696, for two years longer; five hundred thouſand pounds by the new duties added to the Book of Rates for four years; and fifty thouſand pounds by the tax they laid of five per cent. upon the Eaſt-India company, and other joint ſtocks; ſo that there remained but three hundred thouſand pounds to be raiſed; for the ſtate of the expence for this year was computed at five millions and three hundred and ſixty-ſix thouſand pounds; namely, one million nine hundred and twenty-ſix thouſand pounds for the fleet; two millions and ninety thouſand pounds for the army; ſeven hundred and fifty thouſand pounds to make good what was borrowed upon the credit of the poll-act; and ſix hundred thouſand pounds for the civil liſt.

On the 9th, the bill for the frequent calling and meeting of parliaments was reported to the houſe of commons; after which they had a long and warm debate, whether it ſhould be read the third time, which was carried in the affirmative by two hundred againſt one hundred and ſixty-one, and ſent back to the lords, who were deſired to concur in the amendments. To this they immediately agreed and ſent down two of the judges to acquaint the commons therewith.

This bill, by which it was enacted, that a ſeſſion of parliament ſhould be held every year, a new parliament ſummoned every third year, and the preſent parliament diſſolved, within a limited time, was brought in, when the bill for free and impartial proceedings in parliament had failed. It was imagined that a bill from the lords diſſolving a parliament, which ſtruck only at the houſe of commons, the lords being ſtill the ſame men, would upon that ſingle account have been rejected by the commons; but they alſo paſſed it, and fixed their own diſſolution to the 25th of March in the next year, reſerving

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1692-3. to themſelves another ſeſſion. The king let the bill lie on the table for ſome time: ſo that men's eyes and expectations were much fixed on the iſſue of it. But, in concluſion, he refuſed to paſs it; ſo the ſeſſion ended in an ill humour. The rejecting a bill though an unqueſtionable right of the crown, has been ſo ſeldom practiſed, that the two houſes are apt to think it a hardſhip, when there i a bill den ed [u].

[u] Biſhop Burnet has the following obſervation upon this bill. The ſtatutes (ſays he) for annual parliaments in king Edward the firſt, and king Edward III's time, are well known. But it is a queſtion, whether the ſuppoſition "if need be" falls upon the whole act, or only upon thoſe words, "or oftener:" it is certain theſe acts were never obſerved; and the non-obſervance of them was never complained of as a grievance. Nor did the famous act, in king Charles I's. time, carry the neceſſity of holding a ſeſſion further, than to once in three years. Antiently, conſidering the haſte and hurry in which parliaments ſat, an annual parliament might be no great inconvenience to the nation: but, by reaſon of the ſlow methods of ſeſſions now, an annual parliament in times of peace would become a very inſupportable grievance. A parliament of a long continuance ſeemed to be very dangerous, either to the crown, or to the nation: if the conjuncture, and their proceedings, gave them much credit, they might grow very uneaſy to the crown, as happened in king Charles I's time; or, in another ſituation of affairs, they might be ſo practiſed upon by the court, that they might give all the money, and all the liberties of England up, when they were to have a large ſhare of the money, and were to be made the inſtruments of tyranny; as it was in king Charles II's time. It was likewiſe hoped, that frequent parliaments would put an end to the great expence candidates put themſelves to in elections; and that it would oblige the members to behave themſelves ſo well, both with relation to the public, and in their private deportment, as to recommend them to their electors at three years end: whereas when a parliament was to ſit many years, members covered with privileges were apt to take great liberties, forgot that they repreſented others, and took care only of themſelves. So it was thought that England would have a truer repreſentative, when it was choſen anew every third year, than when it run on to the end of a reign. All that was objected againſt this was, that frequent elections would make the freeholders proud and inſolent, when they knew that applications muſt be made to them at the end of three years: this would eſtabliſh a faction in every body, that had a right to an election; and, whereas now an election put men to a great charge all at once, then the charge muſt be perpetual all the three years, in laying in for a new election, when it was known how ſoon it muſt come round. II. 106, 107.

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On the 11th of February, a report was made in the houſe of lords by the committee for giving advice to his majeſty; and their lordſhips agreed to the ſeveral heads mentioned above, only with this alteration, that they then allowed colonel Gower to continue in his command over the artillery, though this was carried but by one voice, ſo that their advice was reſolved to be drawn up in the form of an addreſs to the king. 1692-3.

The ſame day the commons were upon the bill againſt mutineers and deſerters, and the day following upon the ſupply, when they reſolved, that credit ſhould be given to the king to borrow as much as the review of the laſt poll came ſhort of three hundred thouſand pounds, which was all that remained to be raiſed.

On the 14th the commons read the ſecond time the bill for ſeveral new duties on goods imported, and committed it; as alſo the bill for taking the public accounts; into a grand committee on the 17th on which they went, it was moved, that the commiſſioners of the ſaid accounts ſhould be impowered to examine and ſtate the old debt of the bankers, ariſing from the ſhutting up of the exchequer in the reign of king Charles II. and this motion occaſioned a debate of two hours; but the country gentlemen being jealous, that the deſign of this motion was either to throw the debt upon the parliament, or elſe to obſtruct the bill, rejected it.

The day following the lords finiſhed their addreſs of advice to the king, to which they added, that they humbly adviſed and prayed his majeſty, that the army to be left in England of twenty thouſand men may conſiſt all of their majeſties own ſubjects; and the lords with the white ſtaves were ordered to know his majeſty's pleaſure, when he would be attended by the houſe to preſent the ſaid addreſs. Their lordſhips had ſome debate about the lieutenancy of London; and it was moved, that it might be part of the addreſs to remove out of the lieutenancy ſeveral perſons, who were looked upon not to be well-affected to the government; but it was rejected, and they reſolved, that they would conſider of this matter apart; which they did on the 20th, and, after ſome time ſpent therein, the further debate was adjourned ſine die. Upon this occaſion Mr. Wilmore, who had ſuffered very much in the two laſt reigns, diſperſed in the lobby of the houſe ſeveral printed papers, giving very ill characters of divers perſons, who were then in the lieutenancy of London; of which complaint being made to the houſe, their lordſhips, after ſome debate, reſolved by a majority of four-

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1692-3. teen voices, that the paper was a ſcurrilous paper; and ordered Wilmore to be taken into cuſtody.

The commons on the 22d of February took into conſideration the ſtate of Ireland, concerning which they examined ſeveral perſons, eſpecially upon theſe heads, 1. The abuſes committed in diſpoſing of the forfeitures, which were either given away, or let out to favourite particular perſons, ſo much under the value, that what was worth 100 l. was not let for 20 l. 2. The diſorders committed by the forces, who lived upon free quarter, and were very vexatious to the country. 3. The proceedings of the late parliament, and their ſudden prorogation, with a proteſt of the lord lieutenant, for that they had aſſerted their rights with reſpect to preparing heads for money-bills: and, 4. The great encouragement given to papiſts and their favourers. The houſe did not enter into any debate upon theſe matters, but ordered, that the ſaid perſons ſhould give in writing what they knew of their own knowledge, and what they could make out by other proofs; and that they ſhould lay the ſame before the houſe on the Friday following. And becauſe, in ſpeaking upon the point of forfeitures, they charged Mr. Culliford, who was lately one of the commiſſioners of the revenue in Ireland, with divers miſdemeanors in the management of that truſt, he was ordered to attend the houſe, of which he was a member.

The lords, on the 23d, attended the king with their addreſs of advice, which conſiſted of theſe four heads: 1. That the perſon, who ſhould command the Engliſh forces under his majeſty, be born their majeſties ſubject. 2. That the Engliſh officers might have the preference and precedence of all officers in the confederate troops (except thoſe of crowned heads) of the ſame rank and quality, though the commiſſions of the latter be of an older date, according to what was agreed on by a capitulation made in 1678; the contrary practice whereof in the preſent war they conceived to be a great diminution to the crown of England, and a great diſſatisfaction to their majeſties ſubjects. 3. That there be left in England twenty thouſand Engliſh ſoldiers during the year 1693, under the command of an Engliſh general. 4. That his majeſty would be pleaſed to give effectual order for remedying the great abuſes committed by preſſing of men for the fleet; and that he would cauſe ſuch officers, as were guilty thereof, to be caſhiered, and further puniſhed according to law. To which his majeſty returned this anſwer, that he would take it into conſideration. 5. That there may be no foreigners at the board of ordnance, ſince they eſteemed it,

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a prejudice to their majeſties ſervice, and a diſcouragement to their ſubjects. 1692-3.

On the 24th of February ſir Francis Brewſter, Mr. Stone, and the reſt gave in writing to the commons, what they had before delivered by word of mouth. And the houſe having thereupon reſumed the conſideration of the ſtate of Ireland, after a long debate, which kept them ſitting till ſeven at night, they paſſed this vote without coming to a diviſion, that it appeared by the information given to the houſe, that there had been great abuſes and miſmanagements in the affairs of Ireland; and that an addreſs be made to the king to lay the ſame before him, that they might be remedied for the future; and to pray him, that a ſtate of the forfeitures might be laid before the parliament; and a committee was appointed to draw up this addreſs.

The lords likewiſe, on the 28th of February, entered upon the conſideration of the ſtate of Ireland; and beſides the perſons, who were examined before the commons, the lady Arglas, the biſhop of Meath, ſir Robert Southwell, and Mr. John Pulteney, ſecretary to the lord-lieutenant, were ſummoned to attend their lordſhips, and examined accordingly. After which they were ordered to put the ſubſtance of what they had ſaid, in writing. Mr. Pulteney gave their lordſhips a full account of what had paſſed within his knowledge, concerning the proceedings of the late parliament, the forfeited eſtates, and the army; and then the lords adjourned the farther conſideration of this matter till the next day: when they proſecuted the inquiry, and on the 2d of March, after ſome debate, came to this reſolution, That there had been great abuſes and illegal and arbitrary proceedings in the management of affairs in Ireland. By the abuſes they meant the embezzlements of the forfeited eſtates real and perſonal; and by the illegal proceedings, the diſorders committed by the forces, but more particularly they ſeemed to have their eye upon a complaint, that had among others been made to them, that, a little before the reduction of Limerick, a perſon being accuſed of having been concerned in the murder of ſome of colonel Foulkes's ſoldiers quartered at Dublin, the lords juſtices ordered him to be brought before the council, and immediately commanded the provoſt-martial to cauſe him to be hanged without any previous proceedings againſt him, either by trial at common law, or before a court-martial.

The commons, on the 28th of February, went into a committee of the whole houſe, upon the bill for prohibiting trade

1692-3. trade with France, and encouraging privateers, and went through the ſame; and on the 2d of March they preſented to his majeſty their addreſs about the Eaſt-India company; to which his majeſty anſwered, that he would do whatever was in his power for the good of the kingdom, and for the advantage of this particular trade; and that this was a matter which would require ſome time for him to conſider. The day following they proceeded upon the review of the quarterly poll-bill; and, on the 7th, were in a committee of the whole houſe, upon the bill for continuing certain impoſitions upon Eaſt-India goods, &c. and went through the ſame. And, having finiſhed all the money-bills, they ſent up the laſt to the lords on the 9th of March for their lordſhips concurrence. Among other bills, that had paſſed both houſes, and lay then ready for the royal aſſent, was one for puniſhing mutineers and deſerters, which was to take place on the 10th of March; and therefore their lordſhips reſolved, after ſome debate, on the Tueſday before, that the lords with the white ſtaves ſhould acquaint his majeſty therewith, in order that his majeſty, if he thought proper, might come to the houſe, and give the royal aſſent, on the 9th or 10th, to that and other bills, which were ready, that ſo the bill againſt mutineers might not commence before it was made a law by the royal aſſent, which was thought by ſome not very proper; but his majeſty thought fit to leave this, together with the reſt of the bills, to the end of the ſeſſion.

The lords threw out the bill for prohibiting of lotteries, which was ſent them from the commons. The patentees of the Royal Oak Lottery are ſaid to have found means to have this bill ſtopped in the houſe of lords.

On the 9th of March the two houſes waited upon his majeſty ſeverally, and preſented their addreſſes about Ireland. The heads of that of the lords were as follow; 1. That there had been great abuſes in the diſpoſing of the forfeited eſtates, inſomuch that of the perſonal eſtates, which amounted to one hundred and thirty-five thouſand pounds, but ten thouſand pounds had been accounted for to the king. 2. That protections had been granted to the Iriſh, not included in the articles of Limerick, whereby the proteſtants had been deprived of the benefit of the law againſt them. 3. That the quarters of the army had not been paid, though the ſame was deducted out of the pay of the troops; and that the parliament had made ſufficient proviſion for both. 4. That a mayor had been impoſed for two years together,

upon

upon the city of Dublin, contrary to their ancient privileges and charter. 5. That one Gaffney and ſeveral others, who were accuſed of the murder of ſome of colonel Foulkes's men, were executed without any proofs; and one Sweetman, who was the moſt guilty, diſcharged without any proſecution. To this addreſs the king made this anſwer: "Your "lordſhips may be aſſured I will, as ſoon as poſſible, take "care to remedy all theſe matters." 1692-3.

The commons, in their addreſs, particularized the abuſes and miſmanagements in the affairs of Ireland; which conſiſted, 1. In expoſing the proteſtant ſubjects to the miſeries of free quarters, and the licentiouſneſs of an army, to the great oppreſſion of the people there; which they conceived had been chiefly occaſioned by the want of that pay, which they did hope they had fully provided for. 2. In recruiting his majeſty's troops with Iriſh papiſts, and ſuch perſons as had been in open rebellion againſt his majeſty, to the great endangering and diſcouraging of his majeſty's proteſtant ſubjects in that kingdom. 3. In granting protections to Iriſh papiſts, whereby proteſtants were hindered from the legal remedies, and the courſe of law was ſtopped. 4. In reverſing outlawries for high treaſon againſt ſeveral rebels in that kingdom (not within the articles of Limerick) to the great diſcontent of his proteſtant ſubjects there. 5. In letting the forfeited eſtates at under-rates, to the leſſening of his majeſty's revenue. 6. In the great imbezzlements of his majeſty's ſtores in the towns and garriſons of that kingdom, left by the late king James, and in the great imbezzlements which had been made in the forfeited eſtates and goods, which might have been employed for the ſafety and better preſervation of Ireland. 7. In the addition made to the articles of Limerick, after the ſame were finally agreed to, and ſigned, and thereupon the town ſurrendered; which had been a great encouragement to the Iriſh papiſts, and a weakening to the Engliſh intereſt there. Theſe abuſes they moſt humbly beſought his majeſty to redreſs; particularly that the ſoldiers might be paid their arrears, and the country their quarters. That no papiſt might be admitted to ſerve in the army. That foraſmuch as the reducing of Ireland had been of great expence to this kingdom, agreeably to his majeſty's gracious aſſurances; no grant might be made of the forfeited lands in Ireland, till there might be an opportunity of ſettling that matter in parliament. That a true account of all forfeitures real and perſonal, and of the ſtores left by the late king James, might be laid before the commons aſſembled in parliament.

1692-3. liament. That no outlawries might be reverſed or pardons granted to the rebels, but by advice of parliament. That no protections might be granted to the Iriſh. And that the additional article in the capitulation of Limerick, by which ſo wide a paſſage had been opened to the Iriſh papiſts, to come in and repoſſeſs themſelves of the eſtates which they had forfeited by their rebellion, might be laid before the commons, that ſo the manner of obtaining the ſame, and the prejudices that had been thereby occaſioned to the proteſtant intereſts, might be enquired into. They cloſed this addreſs by ſaying, "That as his majeſty had been pleaſ-"ed to give ſuch gracious aſſurances of his readineſs to com-"ply with them in any thing that might tend to the peace "and ſecurity of this kingdom; ſo they doubted not of his "majeſty's like grace and favour to that of Ireland, in the "ſafety and preſervation whereof this his majeſty's kingdom "was ſo much concerned." To this addreſs the king anſwered: "I will always have a great regard to what comes "to me from the houſe of commons; and what may have "been amiſs in Ireland, I will take care to remedy."

Remarks on the proceedings of the parliament.

By theſe proceedings it was plain that an ill humour prevailed in both houſes; and that the parties of tory and whig appeared almoſt in every debate, and in every queſtion. In the houſe of lords particularly ſtrong oppoſition was made to every thing that was propoſed for the government. They paſſed many votes, and made many addreſſes to the king, which were chiefly deſigned to load the adminiſtration, and to alienate the king from the Dutch. Their propoſition for a committee of both houſes to conſider the ſtate of the nation, and to give the king advice upon it, was ſuch as had never been offered, but when the nation was ready to break out into civil affairs. This committee, when once begun, would have grown in a very ſhort time to have been a council of ſtate, and ſoon have brought all affairs under their inſpection. The commons indeed paſſed the ſupplies, but it was with great ſlowneſs; and thoſe who could not oppoſe them, yet ſhewed their diſcontent in delaying the bills, and clogging them with unacceptable clauſes. The waſteful method was continued of raiſing money upon remote funds, by which there lay a heavy diſcount on tallies; ſo that above a fourth part was in ſome of them to be diſcounted. However, after their complaints of the admiralty, and of the conduct in Flanders, particularly in the action of Steenkirk, and their voting ſome heads of an addreſs relating to theſe matters, the commons, by a ſecret management, let the whole fall, and thoſe angry votes

votes came to nothing. Though the lords perſiſted in their ill humour, any thing they could do was of leſs moment, when it was not like to be ſeconded by the commons. 1692. 3.

Soon after the addreſſes about the Iriſh affairs, the king came to the houſe of peers, and, having given the royal aſſent to ſeveral bills, concluded the ſeſſion with the following ſpeech: The parliament is adjourned. March 14.

" My lords and gentlemen,

" THE large ſupplies which you have given me this ſeſſion, are ſo great teſtimonies of your good affections, that I take this occaſion with great willingneſs to return my hearty thanks to you. And I aſſure you it ſhall be my care to ſee that that money you have given may be effectually applied to ſuch ſervices as may be moſt for the honour and intereſt of England. The king's ſpeech. Pr. H. C. II. 415.

" I muſt recommend to your care the peace and quiet of the ſeveral counties to which you are now returning, and doubt not but by your care the ſupply, which you have ſo freely given, will not only be effectually levied, but with the greateſt equality too, and the leaſt uneaſineſs to the people, that is poſſible.

" My lords and gentlemen,

" The poſture of affairs does neceſſarily require my preſence abroad; but I ſhall take care to leave ſuch a number of troops here, as may be ſufficient for the ſecurity of the kingdom againſt any attempts of our enemies.

" I ſhall add no more, but that, as I ſhall continue to expoſe my own perſon, upon all occaſions, for the good and advantage of theſe kingdoms; ſo I do likewiſe aſſure you that my hearty and ſincere endeavours ſhall never be wanting in any other kind, to make this a great and flouriſhing nation."

And then, by his majeſty's command, the parliament was prorogued to the 2d of May [x].

[x] Among the acts paſſed this ſeſſion, were,

1. An Act, that the Inhabitants of the Province of York may diſpoſe of their perſonal Eſtates by Will. It was the cuſtom before, that the widows and younger children of perſons dying in that province, were entitled to a part of the goods and chattels of their late huſbands or fathers (called their Reaſonable Part) notwithſtanding any will or jointure to the contrary.

1692-3. 2. An Act for taking ſpecial Bails in the Country, upon Actions and Suits depending in the Courts of King's Bench, Common Pleas, and Exchequer. By this act, the judges, by commiſſions under the ſeals of their reſpective courts, may empower perſons, not attorneys and ſollicitors, in all the counties of England and Wales, to take recognizances of bails in action, depending in the ſaid courts, as the juſtices and barons uſed to do, for which the perſons empowered ſhall receive two ſhillings. This is a great eaſe and benefit to ſuch as would otherwiſe be obliged to appear in perſon at Weſtminſter.

3. An Act for encouraging the apprehending of Highwaymen. Every perſon who ſhall take any robbers upon the highway, ſhall have from the ſheriff, without fee, for every offender forty pounds, within one month after conviction; and alſo the horſe, furniture and arms, money, or other goods of the robber taken with him.

4. An Act to prevent Frauds by clandeſtine Mortgages. If any perſon ſhall acknowledge judgment, ſtatute, or recognizance, and afterwards mortgage his lands to a ſecond creditor, the mortgager ſhall have no remedy againſt the mortgagee for redemption of the lands. In caſe of a ſecond mortgagee, the mortgager ſhall have no equity of redemption againſt the ſecond mortgagee; and in caſe of more mortgages than one, the late or under mortgagees ſhall have power to redeem any former mortgages.

5. An Act for the better Diſcovery of Judgments in the Courts of Law. Particularly all judgments for debt ſhall in every Eaſter term be put into an alphabetical dogget, to be ſearched by all perſons paying for every term's ſearch for judgment againſt one perſon, four pence. No judgment, not doggeted, ſhall affect any lands as to purchaſers or mortgagees, or have any preference againſt heirs, executors, or adminiſtrators.

6. An Act to prevent malicious Informations in the Crown-office of the Court of King's Bench. No information to be filed before recognizance is taken from the informer, that he will effectually proſecute ſuch information.

During the ſeſſion of the parliament, ſeveral officers of the army, wanting men to complete their companies, agreed with thoſe who had warrants to preſs for the ſea, who, under pretence of preſſing for the navy, took up great numbers of young men, whom they ſhipped off for Holland, and there forced them into land-ſervice. Among the reſt a ſervant belonging to one of the members of the houſe of commons, happened to be thus ſpirited away: upon which the houſe ordered this grievance to be repreſented to the king, who, in his anſwer, let the houſe know, "How much he reſented "that his ſubjects ſhould meet "with ſuch hard uſage; and that "he would take all poſſible care "for the future to puniſh the "authors of it. And that in "the firſt place he had called "before him the officers of the "army, and given them a ſtrict "charge, that they ſhould re-"ceive no men that were im-"preſſed. And had given or-

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"ders to the admiralty to examine the preſs-maſters that had committed thoſe abuſes; and "that there ſhould be ſuch exemplary puniſhment inflicted "on them, that others ſhould be "deterred from doing the like."

As to the honours and promotions beſtowed by the king in the laſt year, and the beginning of this, the moſt remarkable were as follow:

Sir Henry Capel, brother to the earl of Eſſex, was created, about the middle of April 1692, baron Capel of Tewkſbury.

On the 30th of December, ſir John Trevor, ſpeaker of the houſe of commons and firſt commiſſioner of the great ſeal, was made maſter of the rolls, in the room of Henry Powle deceaſed. He had enjoyed that place under king James.

Sir Edward Ward was made attorney-general, which gave ſuch diſguſt to ſir Thomas Trevor the ſollicitor-general, who thought he had a right to ſucceed to that office, that he had determined to reſign his own place, and was with great difficulty perſuaded by his friends to continue in it. 1692-3.

At the ſame time ſir John Lowther, Henry Prieſtman (who had been one of king James's ſea-captains), Anthony lord viſcount Falkland, Robert Auſten, ſir Robert Rich, Henry Killigrew, and ſir Ralph Delaval, were appointed commiſſioners of the admiralty. George Rook, who was ſoon after knighted on board his ſhip at Spithead, was made vice-admiral of the red; the lord Berkley, vice-admiral of the blue; colonel Matthew Aylmer, rear-admiral of the red; and David Mitchel, rear-admiral of the blue.

CHAP. II.

Ruſſel diſmiſſed. — A change in the miniſtry. — Factions againſt the court.—Battle of Landen.—Battle of Marſiglia.—Affairs at home.—Jealouſies of the miniſtry.—Affairs of Scotland—Of Ireland.—Parliament meets.—Their proceedings.—Place-bill refuſed by the king.—Parliament prorogued.—Duke of Norfolk's caſe.—Alterations in the miniſtry.—Ruſſel employed.—The king goes abroad. — A bank erected. — A deſign againſt Breſt unſucceſsful.—Campaign in Flanders—In Catalonia.—In Piedmont.—Attempts for a peace.—The queen's great prudence.—The king returns, and meets the parliament.—An act for frequent parliaments.—Tillotſon's death.—The queen dies of the ſmall-pox.—Her character.—Breach between her and the Princeſs Anne not made up at her death.

1692-3. THE king being now poſſeſſed againſt admiral Ruſſel, he diſmiſſed him from his ſervice, and put the command of the fleet into the hands of three perſons, Killegrew, Delaval, and Shovel. Killegrew and Delaval were thought ſo inclinable to king James's intereſts, that it made ſome inſinuate that the king was in the hands of thoſe who intended to betray him to his enemies. For, though no exception lay againſt Shovel, yet it was ſaid that he was put in with the other two only to give ſome reputation to the commiſſion, and that he was one againſt two, ſo that he could neither hinder nor do any thing. The chief blame of this nomination was caſt on the earl of Nottingham; and of thoſe who belonged to his office, many ſtories were raiſed and ſpread about, as if there had been among them, beſides a very great remiſſneſs in ſome of the concerns of the government, an actual betraying of all ſecrets and counſels. The opinion of this was ſpread both within and without the kingdom, and moſt of the confederates were poſſeſſed with it. But he juſtified not only himſelf, but all his under ſecretaries, and the king and queen ſtill continued to have a good opinion of his fidelity, though they ſaw ſome defects in his judgment, with a great party-heat, that appeared upon all occaſions, and even in the ſmalleſt matters.

Ruſſel is diſmiſſed. Burnet.

Jealouſy of the king's miniſters. Ibid.

A change in the miniſtry. Burnet.

The king made likewiſe conſiderable alterations in his miniſtry. Every body was now grown weary of the great ſeal's being in commiſſion: it occaſioned the proceedings in chancery to be more dilatory and more expenſive, and there were

were ſuch exceptions made to the decrees of the commiſſioners, that appeals were brought againſt moſt of them, and they were generally reverſed. Sir John Sommers had now got ſo great a reputation, both in his poſt of attorney-general, and in the houſe of commons, that the king, on the 23d of March, gave him the great ſeal, with the title of lord keeper. He was excellently ſkilled in his own profeſſion, and had an uncommon ſhare of knowledge in all parts of polite and uſeful learning. He had a great capacity for buſineſs, with an extraordinary temper, for he was fair and gentle, perhaps to a fault conſidering his poſt; and had all the patience and ſoftneſs, as well as the juſtice and equity, becoming a great magiſtrate. He had always agreed in his notions with the whigs, and had ſtudied to bring them to better thoughts of the king, and to a greater confidence in him. 1692-3. Sommers made lord keeper. His character.

The ſame day ſir John Trenchard was ſworn one of their majeſties principal ſecretaries of ſtate, and of the privy council. He had been engaged far with the duke of Monmouth, as has been obſerved. He got out of England, and lived ſome years beyond ſea, and had a true knowledge of foreign affairs. He was a calm and ſedate man, and much more moderate than could have been expected, ſince he was a leading man in a party. The bringing him and ſir John Sommers into thoſe poſts was aſcribed chiefly to the great credit which the earl of Sunderland had gained with the king. He had now got into his confidence, and declared openly for the whigs. This earl, after he was removed from his places by king James, retired into Holland, where he wrote a letter to a friend in vindication of himſelf, which was publiſhed in London in 1689. He was ſeized at Rotterdam by order of the States, and excepted out of the act of indemnity by the parliament; but it was thought his detention was by colluſion, and that he was apprehended on purpoſe to be formally diſcharged, to make way for his more honourable return to England. However this be, it is certain that the ſame expreſs that carried the king's letter to the States on his advancement to the throne, conveyed another for the diſcharge of the earl of Sunderland: and his being excepted out of the pardon, ſeems to have been done purely in compliance to common fame, that he had been deeply concerned in all king James's arbitrary proceedings; for the confidence king William put in him afterwards, ſhews he was not diſſatisfied with his conduct at that juncture. Moſt aſſuredly, his advice to king James (from what motive ſoever it flowed) not to accept the offer of a French army, made the way eaſy to accompliſh the revolution. Trenchard made ſecretary of ſtate.

1692-3. But as theſe advancements had a conſiderable effect on the whole party, and brought them to a much better opinion of the king, ſo a party came to be now formed, that ſtudied to croſs and defeat every thing. This was led by ſir Edward Seymour and ſir Chriſtopher Muſgrave; the latter of whom was a gentleman of a good family in Cumberland, whoſe life was regular and his deportment grave. He had loſt a place in king James's time; for, though he was always a high tory, yet he would not comply with that king's deſigns. He had indeed contributed much to increaſe his revenue, and to offer him more than he aſked; but he would not go into the taking off the teſt. Upon the revolution, the place, out of which he had been turned, was given to a gentleman, who had a good ſhare of merit in it. This alienated him from the king; and he, being a man of good judgment and great experience, came to be conſidered as the head of the party, in which he found his account ſo well, that no offers that were made him could ever bring him over to the king's intereſts. Upon many critical occaſions he gave up ſome important points, for which the king found it neceſſary to pay him very liberally [y].

Factions formed againſt the court. Burnet.

However, the party of the tories was too inconſiderable to have raiſed a great oppoſition, if a body of whigs had not joined with them. Some of theſe had ſuch republican notions, that they were much ſet againſt the prerogative, and thought the king was become too ſtiff in maintaining it. Others were offended becauſe they were not conſidered nor preferred, as they thought they deſerved. The chief of this body of men were Mr. Paul Foley and Mr. Robert Harley, who were both this ſeſſion made commiſſioners for examining and ſtating the public accounts of the kingdom. Foley was a younger ſon of one, who, from mean beginnings, had, by iron-works, raiſed one of the greateſt eſtates that had been known in England in that time. He was a learned, though not a practiſing lawyer, and was a man of virtue and good principles, but moroſe and wilful; and he had the affectation of paſſing for a great patriot, by his conſtant finding fault with the government, and keeping up an ill humour with, and a bad opinion of the court. Harley was deſcend-

Foley and Harley made commiſſioners for managing the public accounts.

[y] Mr. Pope, in his epiſtle On the Uſe of Riches, mentions a ſtory which confirms this character of ſir Chriſtopher; and in the note upon that epiſtle obſerves, that "the unſuſpected old patriot coming out at the back door from having been cloſeted by the king, where he had received a large bag of guineas, the burſting of his bag diſcovered his buſineſs there."

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ed of an ancient and good family, and very eminently learned; much turned to politics, and of a reſtleſs ambition. He was a man of great induſtry and application, and knew forms and the records of parliament ſo well, that he was capable both of lengthening out, and of perplexing debates. Nothing could anſwer his aſpiring temper. So he and Foley joined with the tories to create jealouſies, and raiſe an oppoſition. 1692-3.

That which gave them much ſtrength, was the king's cold and reſerved way. He took no pains to oblige thoſe who came to him; nor was he eaſy of acceſs. He lived out of town at Kenſington, and his chief confidents were Dutch. He took no notice of the clergy, and ſeemed to have little concern in the matters of the church or of religion. And at this time ſome deiſts were publiſhing books againſt the Chriſtian religion in general, as the Socinians were more particularly againſt ſome points of the orthodox faith[z]. Theſe, expreſſing great zeal for the government, gave a handle to thoſe who were waiting for all advantages, and were careful of increaſing and improving them, to ſpread it all over the nation, that the king and thoſe about him, had no regard to religion, nor to the church of England.

In this ſituation were affairs when the king departed for Holland. He went to Harwich on the 25th of March, but, the wind proving contrary, he returned to Kenſington, from whence he ſet out again on the 31ſt, and embarking near Graveſend, and being attended with a ſquadron of men of war commanded by admiral Mitchel, arrived ſafely at the Maeſe on the 2d of April, went to the Hague, thence to Loo, and afterwards to the army in Flanders, where the French were this year ſo ſtrong that their forces exceeded the confederates almoſt by one half at the beginning of the campaign. But the king's diligence in poſſeſſing himſelf of the camp at Parke near Louvain, entirely broke the French king's deſigns upon Brabant; who was thereby obliged to ſend a ſtrong detachment, under the command of the dauphin and the marſhal de Boufflers, into Germany, and return himſelf to Verſailles without attempting any thing[a]. The French, under

1693. The king goes abroad.

Affairs in Flanders. Boyer. Kennet. Burnet.

[z] The honourable Mr. Robert Boyle, the famous experimental philoſopher, who died in the beginning of the year 1692, left the foundation of a monthly ſermon to convince atheiſts, deiſts, and Jews of their errors, and demonſtrate the truth of the Chriſtian religion in general, without meddling with any of the points about which the Chriſtians are divided into parties and ſects.

[a] The French king had opened the campaign with great pomp in

1693. der the duke of Luxemburg, were all this while encamped at Meldert; and, though their convoys were much diſturbed by the garriſon of Charleroy, yet it ſeemed a trial of ſkill between both armies which ſhould continue longeſt in their poſts: but at length the French were forced to quit theirs firſt, marching to Heiliſheim, in their way towards the Maeſe; which gave the king an opportunity of ſending a ſtrong detachment under the command of the prince of Wirtemburg, to force the lines, which the French had made to cover their conquered countries from the Scheld to the Lys, and ſo on to the very ſea by Dunkirk. At the ſame time count Tilly, general of the troops of Liege, was marching with a reinforcement to join the king, of which Luxemburg being informed, marched immediately with a good body of troops to hinder that conjunction, which he did effectually, ſurpriſing the count in the hollow way through which he was marching, and forcing him to retreat to Maeſtricht, leaving near two hundred of his men killed, and all his baggage behind him. Wirtemburg's forcing the lines with good ſucceſs, and raiſing great contributions, did not hinder Luxemburg from laying ſiege to Huy, which made the king advance nearer the country of Liege. But, when he came to Tongres, he was ſurprized to hear that the caſtle of Huy had capitulated. Upon farther information that Luxemburg was drawn nearer Liege, the king ſent ten battalions thither, which, with great difficulty, got at length into the place, that now abſolutely rejected the neutrality which Luxemburg had offered. Though the biſhop was true to the allies, yet there was a faction formed among the capitulars to offer themſelves to the French; but the garriſon adhered to the biſhop; and now, when ſo great an army lay near them, they broke the meaſures which that faction had taken. Luxemburg therefore made a feint of beſieging Liege, though his real deſign was to attack the king, now encamped at Neerheſpen, ſo much weakened by the ſeveral detachments he had made to reinforce the garriſons of Liege and Maeſtricht, that it was generally computed that the French were at leaſt thirty-five thouſand men ſtronger than the confederates.

July 15. N. S.

July 14.

July 18.

July 23.

Flanders, coming thither in perſon accompanied by the ladies of the court, which appeared the more ridiculous ſince there was no queen at the head of them; unleſs madam de Mainſenon was to be taken for one, to whom reſpects were indeed paid with more ſubmiſſion than is commonly due to queens; ſo that what might be wanting in the outward ceremony, was more than balanced by the real authority ſhe poſſeſſed. Burnet, II. 110.

As

As ſoon as the king had notice of the enemies approach, he got on horſeback with the elector of Bavaria, and chief officers of the army, and finding by the enemy's countenance, that it was the vanguard of their whole army, that was coming to attack him in his own camp, he immediately ordered to arms, and to draw up in battle to expect the enemy. Moſt of the general officers were for repaſſing the Geet, but the king choſe to take the advantage of the ground he had, and venture a battle, notwithſtanding the great diſproportion of the two armies, rather than expoſe his rear to the enemy's charge. Beſides, the French were now near the large and defenceleſs town of Brabant, which muſt feel the effects of their fury, unleſs they were ſtopped by venturing an engagement; and as the benefits of a victory were great, ſo, upon the worſt ſuppoſition of the event, the king had ſtill Wirtemburg's victorious army ready to make up the breaches of his own; an advantage, which the enemy had not ſo ready on their ſide. But however, as the king might have ſecured himſelf from all attacks, by paſſing the river, his conduct, in not doing it was much cenſured, conſidering his ſtrength and the enemy's. The right of the confederates in this camp was at Heiliſheim and Wangen, upon the river Geet, and reached as far as Neer-Winden, being covered with a ſmall brook, ſeveral hedges, and hollow ways. The elector of Bavaria had his quarters at Wangen; the body of foot and left wing of the horſe reached from thence as far as Dormal, upon the brook of Beck, where Lewe remained in their rear. 1693. The battle of Landen.

As ſoon as the enemy drew up by the confederate camp, the king ordered brigadier Rumſey, with the regiments of O-Farrel, Mackay, Lauder, Leven, and Monroe, to the right of all, to guard ſome hedges and hollow ways upon the right of the village of Lare. The Brandenburg battalions were poſted to the left of this village; and more to the left the infantry of Hanover. Prince Charles of Brandenburg, as major-general, commanding the ſix battalions of Brandenburg, and lieutenant-general Dumont the Hanoverians, with whom he was to defend the village of Neer-Winden, that covered part of the confederates camp, between the right wing of horſe, and their main body. Theſe were afterwards reinforced by the firſt battalion of the firſt regiment of guards, and the ſecond battalion of Scots guards. Upon the left at Neer-Landen the king ordered the firſt battalion of the royal regiment, Churchill's, Selwin's, and Trelawney's, prince Frederic's battalion of Danes, and Fagel's, to poſſeſs this

1693. this village, that covered the left to the brook of Beck, where it was covered by the village of Neer-Landen. The ground was open between the villages of Neer-Winden and Neer-Landen; whereupon the king ordered a retrenchment to be made in the night from the one to the other, to cover the body of foot; which was indeed but a ſlight breaſt-work, as may eaſily be judged by the ſhort time they had to make it, and the ſmall number of men who worked about it, being only thirty of each battalion. What remained of the body of the foot was drawn up in one line within this retrenchment to defend it. The dragoons upon the left were ordered to the village of Dormal, to guard that paſs upon the brook of Beck, and from thence the left wing of horſe reached to Neer-Landen, where it was covered by this brook, and from thence turned off to the right behind the body of foot [c].

The king, who had been on horſeback till late in the evening, not only to give all the neceſſary commands, but to ſee them executed, ordered his coach to be brought to the rear of Stanley's regiment, where he repoſed himſelf about two hours, and early in the morning ſent for Dr. Menard, one of his chaplains, to pray with him in the coach.

July 29. By ſun-riſing the French were drawn up within the reach of the confederates cannon, which played upon them with good ſucceſs, and which the French ſuſtained with great reſolution till about ſix of the clock, when they made a motion to draw nearer the king's retrenchments. About eight Luxemburg ordered a ſtrong body of troops to attack the villages of Lare and Neer-Winden, which they did with great fury and various ſucceſs, having gained and loſt theſe poſts more than once; but at length the allies maintained their ground, and here it was the duke of Berwick was taken priſoner by Brigadier Churchill. This ill ſucceſs did not diſcourage the French from trying their fortunes againſt the confederates left wing at Neer-Landen. This poſt, indeed, was not a weak one, but it was attacked with a great diſproportion of forces, and the fire was very ſmart on both ſides.

The firſt battalion of the royal regiment was, after a ſharp diſpute, forced to retire, but was ſoon after encouraged by the king's preſence (who rode immediately from the right to

[c] Whether it was out of envy to king William, or that he really found ſomething amiſs in the forming this camp, Luxemburg, when he viewed it the next morning, ſaid, "Now I believe Waldeck is dead;" that general being allowed to have been the beſt in his time for incamping.

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the left) and ſuſtained by Selwin's, who obſerving a paſſage in this place, where the horſe could come upon his rear, ordered trees to be cut down, and to ſtop it up. The houſe, where Hamilton's grenadiers had before been poſted, was likewiſe ſet on fire; and by this time the two regiments above-mentioned being ſupported by prince Frederic's and Fagel's, the enemy, after a ſharp diſpute of about two hours, were entirely beaten off, and purſued quite out of the defile into the very plain; ſo that they attempted this place no more. 1693.

Hitherto the ſucceſs of the day was viſibly on the ſide of the confederates; and the French, who continued a faint fire at Neer-Winden, ſeemed as if they deſigned to draw off. But Luxemburg, having ſtill ſeveral brigades of freſh men, reſolved to gain the village of Neer-Winden, and ordered the prince of Conti to make the attack. The enemy had remained maſters of the outermoſt hedges of this village; for, though our rallied forces had made the French give way conſiderably, yet they could not entirely clear the village. The prince of Conti, with the beſt foot in the French army, charged the confederates ſo vigorouſly, that he obliged them, ſpent as they were by the former encounters, ſoon to yield to him the avenues of Neer-Winden; upon which ſucceſs Luxemburg came to obſerve the paſſages, that led to the confederates camp, for his horſe to march in. As the marſhal de Villeroy was marching with a ſtrong body of horſe this way, count d'Arco general of the Bavarian cuiraſſiers, charged them with ſo much vigour, that, notwithſtanding their brave reſiſtance, he repulſed them quite within their foot; the duke de Chartres, who charged with them, narrowly eſcaped being made priſoner. Thereupon the confederates endeavoured to regain once more the poſt of Neer-Winden; and the elector of Bavaria ordered two battalions to charge the enemy in front, whilſt three others ſhould charge them upon their left flank. But the French rallying, and being conſiderably reinforced, the attempt became impoſſible, the Dutch and the Scots guards having ſpent all their ammunition by their continual fire. The king, who had left Neer-Landen upon the enemy's freſh attempt upon Neer-Winden, led twice the Engliſh battalions to the charge, up to the right of the retrenchment (which was now flanked and under the enemy's command) where they fought with great bravery. In the mean time Luxemburg, who had found a more convenient paſſage for the horſe between the poſts of the king's and Zurbeck's brigades, came in himſelf with the prince of Conti and count de Marſin, into the plain of the con-

1693. confederates camp, with the carabineers, and ſeveral other regiments; whilſt the marſhal de Joyeuſe paſſed between Neer-Winden and Lare with three brigades. Conti, being joined by the French guards, fell upon the Hanover horſe, and broke them; whilſt part of the enemy's ſecond line of horſe, and the reſerve, came in upon their left along the hedges of Lare. The marquis d'Arcourt, who had been ſent for from Huy with his detachment of twenty-two ſquadrons, came time enough to have his ſhare of the day. He joined theſe, and made his dragoons alight to chace our foot out of the village of Lare. The duke of Villeroy came in upon our right of the intrenchments; which place the Engliſh foot diſputed with undaunted reſolution, till being overpowered, the French remained maſters of this part of the retrenchment, which they leveled, to make room for a body of horſe to come in.

After the Hanover horſe had been broken, the reſt of the confederate right wing of horſe, being cut off from the body of foot, was ſoon overthrown by the enemy, who now had the opportunity of charging them both front and flank. The elector of Bavaria did what he could to reſiſt the numerous multitude of the enemies horſe, that charged him thus; but, finding it impoſſible, with no ſmall difficulty he retreated over the bridge, and rallied on the other ſide as many of the ſcattered horſe and foot as could get over, to favour the retreat of thoſe, who were ready to paſs. The king did what he could to remedy this diſorder, riding to the left to bring up the Engliſh horſe for the relief of the right wing. But the enemy had now got another body of horſe in our camp commanded by the duke d'Elboeuf. At the ſame time the duke de Montmorency, Luxemburg's ſon, fell upon the right flank of the Dutch horſe, and put them in diſorder before the Engliſh horſe which were led on by the king, could come up and form their ſquadrons; ſo that they were forced to charge the enemy in the ſame order they rid up to them (and moſt of them had rid as faſt as their horſes could gallop) but that did not hinder them from doing extraordinary ſervice. The king himſelf charged at the head of lord Galway's regiment, which diſtinguiſhed itſelf very much on this occaſion. Colonel Wyndham, at the head of his regiment, charged ſeveral times through and through the enemy's ſquadrons. Colonel Langſton was made priſoner, and the duke of Ormond, having charged at the head of one of Lumley's ſquadrons, received ſeveral wounds, and had his horſe ſhot under him;

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was reſcued by a gentleman of the French king's guards from the hands of one, who was offering to ſtab him. 1693.

The king, ſeeing the battle loſt, ordered the infantry to retreat to Dormal upon the brook of Beck, which poſt had hitherto been kept by the dragoons of the left wing, who had nothing to do this day; and finding, that the enemies were ſurrounding him on all ſides, he ordered the regiments of Wyndham, Lumley, and Galway to cover his retreat over the bridge at Neerheſpen, which he gained with great difficulty. There was now nothing but confuſion and diſorder in the confederates camp; all thoſe, who could not get the paſſes for the retreat, being preſſed by the enemy, were forced to throw themſelves into the river, where many were drowned, the earl of Athlone narrowly eſcaping the ſame fate. Lieutenant-general Talmaſh brought off the Engliſh foot with great prudence, bravery, and ſucceſs, but ſome of the Engliſh life-guards were ſo terrified with the apprehenſion of a purſuing enemy, that they did not think themſelves ſafe till they reached Breda. Sixty pieces of cannon and nine mortars were loſt; but all the baggage had been ſent to Lewe the night before, where it was ſafely brought off in reſpect of the enemy, but generally plundered by our own ſoldiers.

The king in this battle was ſeen every where, acting the different parts of a general and of a private ſoldier. He had ſupported the whole action with ſo much courage, and ſo true a judgment, that it was thought he got more honour that day, than even when he triumphed at the Boyne. He charged himſelf, in ſeveral places, and was in the midſt of the moſt imminent dangers; many being ſhot round about him with the enemies cannon, and himſelf eſcaping no leſs than three muſkets ſhots, one through his peruke which deafened him for ſome time, another through the ſleeve of his coat, and a third, which carried off the knot of his ſcarf, and left a ſmall contuſion on his ſide. In a word, he gained ſo far the reſpect and admiration of his very enemies, that it was a common ſaying among them, "That they wanted but ſuch "a king to make themſelves maſters of chriſtendom." And the prince of Conti, in an intercepted letter to his princeſs, declared, "I ſaw the king expoſing himſelf to the "greateſt dangers; and ſurely ſo much valour very well de-"ſerved the peaceable poſſeſſion of the crown he wears." The French king himſelf likewiſe was reported to have ſaid, that Luxemburg's behaviour was like the prince of Conti's, but king William's like marſhal Turenne's.

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1693. The French loſt ſo many men and ſuffered ſo much, in ſeveral onſets they had made, that they were not able to purſue a victory, which coſt them ſo dear. The confederates loſt in all about ſeven thouſand; and among theſe there was ſcarce an officer of note, only the count de Solms had his leg ſhot off by a cannon-ball, of which he died in a few hours. By all the accounts that came from France, it appeared that the French had loſt double that number, with at leaſt two thouſand officers killed or wounded; and theſe accounts ſeem to be confirmed by Luxemburg's continuing fifteen days after the battle, at Waren, without attempting any thing. The king's army was in a few days as ſtrong as ever, by recalling the duke of Wirtemburg and the battalions he had ſent to Liege, and ſome other bodies that he drew out of garriſons. The reſt of the campaign paſſed over without any other action; only after the king had left the army, and Luxemburg had been reinforced with ſome troops from the ſea-coaſt, and a great detachment under Boufflers from the Rhine, he ſat down before Charleroy. The place was attacked with great fury, but Sept. 10. the garriſon made ſuch a vigorous reſiſtance, that, though they had little or no proſpect of relief, yet they held out ſix and twenty days from the opening of the trenches, and then made an honourable capitulation. The country about Charleroy had been ſo eat up, that it was not poſſible to ſubſiſt an army that might have been brought to relieve it.

Affairs of Catalonia. The French had better ſucceſs and leſs oppoſition in Catalonia, where ſo early as the 29th of May they inveſted Roſes, and carried on the ſiege with that diligence, that they made themſelves maſters of the place in ſeven days. Then they advanced to Barcelona, expecting their fleet, which was to have bombarded it by ſea, while their army attacked it by land. This put all Spain in great conſternation; the deſign of the invaſion was to force them to a ſeparate peace; while they felt themſelves ſo vigorouſly attacked, and ſaw that they were in no condition to reſiſt.

Affairs of Germany. The Dauphin, with a great part of the French army, had been ſent to make head againſt the Germans, who had brought an army together, commanded by the elector of Saxony, the landgrave of Heſſe, and the prince of Baden. The Germans (who had been retarded by ſome diſputes about the command) were ſo ſlow, and the French ſo forward, that the latter paſſed the Rhine about the middle of May at Philipſburg; and, without any oppoſition, the marquis de Chamily inveſted the city of Heidelberg. At the ſame time the duke de Lorge croſſed

croſſed the mountains to oppoſe the prince of Baden, who was not yet in a condition to act but defenſively, ſo that the town was left to defend itſelf. But beſides its natural weakneſs, there was at this time ſuch a diviſion between the garriſon and the townſmen about the money, that was called in, and which the garriſon would have to be current again, that, when the regiment of Sconbeck was ready to enter the place to reinforce the garriſon, the townſmen would not ſuffer them to come in; which gave monſieur de Melac an opportunity to ſeize a redoubt, which commanded that part of the town. In ſhort, the French, on the 21ſt of May, made themſelves maſters of the ſuburbs with little oppoſition, and their grenadiers drove the beſieged with ſo much fury to the caſtle-gates, that above ſix hundred of their ſoldiers were left without, who were all put to the ſword. The governor of the caſtle, apprehending the ſame fate, accepted the conditions, which de Lorge impoſed upon him, and was contented to be conducted to Wimpel with the reſt of his garriſon, conſiſting of twelve hundred men, two pieces of cannon, and twelve waggons laden with baggage. The imperialiſts were no ſooner out of the city, but the French ſet both that and the caſtle on fire, and committed ſeveral other barbarities in the palatinate, not ſparing ſo much as the tombs of the deceaſed electors. Fluſhed with this eaſy ſucceſs, de Lorge advanced towards the Neckar, with a deſign to attack the prince of Baden, who lay incamped with his army on the other ſide of the river, which the French twice endeavoured to paſs, but were forced to abandon their enterprize with the loſs of near a thouſand men. Some time after the Dauphin in perſon joined the army, which conſiſted of near ſeventy thouſand men; and, having croſſed the Neckar, made a ſhew of attacking the prince of Baden, but found his highneſs ſo well poſted, that he repaſſed the river, without attempting any thing; and having put a garriſon into Stugard, and ſent a detachment into Flanders and Piedmont, he returned in Auguſt to Verſailles. 1693.

The affairs of Italy.

With regard to the affairs of Italy, the duke of Savoy was no ſooner recovered of his long indiſpoſition, but he put himſelf at the head of the army; which, being conſiderably ſtrong, made the inhabitants of Dauphiné apprehenſive of a worſe irruption into their country than the laſt; but the confederates ſeemed now chiefly to aim at the driving the French out of Italy, by diſpoſſeſſing them of Caſal and Pignerol; neither of which was effected this year. Caſal indeed was blocked

1693. blocked up for ſome time, and the Fort of St. George carried by aſſault, which compleated the blockade of that place; but things went no farther, and the duke of Savoy, with the main army, laid ſiege to Pignerol, and took the fort of St. Bridget, that covered the place, but paid ſo dear for this poſt, that after all it was debated, whether they ſhould carry on the ſiege, or only bombard the town. Whilſt the allies were thus deliberating among themſelves, Catinat, being conſiderably reinforced, deſcended into the plains, and gave the duke ſuch apprehenſions for Turin, that he drew off from about Pignerol, and incamped at Marſaglia, having firſt blown up the fort of St. Bridget. The army was preſently drawn up. The marquis de Leganez commanded the left wing, compoſed of the king of Spain's troops. The duke, and under him the count of Caprara, commanded the right wing; and prince Eugene the main battle, having under him the marquis de la Parelle, and the count de las Torres. As for duke Schomberg, being denied the poſt due to him, he reſolved to fight on foot at the head of his own regiment, like an ordinary colonel. The confederate army, being thus diſpoſed, marched into the neighbourhood of Orbaſſon, from whence they perceived the enemy towards the hills between Orbaſſon and Pioſaſque. Early the next day the French advanced towards the confederates, making uſe of the advantage they had in the ground, which was full of woods and vineyards; and ſoon after the cannon began to play on both ſides. About half an hour after eight the French fell upon the confederates left wing with near twenty thouſand men, without firing a ſhot; having their bayonets at the ends of their fuzees, and their ſwords in their hands. They were received and driven back with great vigour; but, renewing their attack, they took in front and flank the Neapolitan and Milaneſe horſe, who, after having courageouſly withſtood the fury of their enemies, were at laſt overpowered by their numbers, and puſhed upon the German horſe. Theſe, being at the ſame time charged by the little Gendarmerie, were no longer able to maintain their ground, but fell upon the infantry, which was put alſo into diſorder. The ſecond line was brought on to oppoſe the enemy, while the firſt line rallied; but, the horſe giving way, the foot was quickly routed.

Oct. 3.

The battle of Marſaglia.

Oct. 4.

While things paſſed thus on this ſide, the French were thrice repulſed with great loſs by the confederates main battalia and right wing, till their horſe which had made the left wing give way, attacked the confederates infantry behind and in flank, who had no longer any horſe to cover them, and were at the ſame time attacked by the enemy's foot.

ſhot. All the troops fought with great courage, and the diſpute was deſperate on both ſides. His Britannic majeſty's forces, which were poſted in the main battle, particularly diſtinguiſhed themſelves; and duke Schomberg, their general, was deſired by the count de las Torres, after the enemy's third attack, to take upon him the command, and cauſe a retreat to be made by the body of foot and the right wing. But his grace, reſenting the uſage, which he had met with before, told him, that it was neceſſary firſt to have his royal highneſs's order; and till it came he would bear the enemy's fire; adding, that he found things were gone ſo far, that they muſt now either conquer or die. The confederates reſiſted the repeated efforts of the enemy with extraordinary reſolution, but were at laſt forced to abandon the field of battle, and to retire with the loſs of the greateſt part of their cannon, and of ſeven or eight thouſand men. Duke Schomberg, having fought with unparalleled valour, received a wound in his thigh, of which he died not many days after, to the regret of all good and gallant men, for he was of that number in an eminent degree. The honour of the action, but with that the greateſt loſs, fell to the French; for, though they carried the victory by their numbers, yet the reſiſtance, which they met with, was ſuch, that the duke of Savoy gained more in his reputation, than he ſuffered by the loſs of the day. With this ended the campaign in Piedmont. 1693.

Our affairs at ſea. Burchet. Kennet.

Nor were our affairs at ſea more fortunate than at land. The Engliſh and Dutch fleet was large and ſtrong, and ſet out early. The joint-admirals were not at firſt reſtrained by any particular inſtructions, but ordered in general only to uſe their utmoſt endeavours to annoy the enemy and protect the trade. But afterwards they received her majeſty's commands more particularly from the lords of the admiralty, chiefly regarding the ſecurity of a great fleet of merchantmen of near four hundred ſail, Engliſh, Dutch, Hamburghers, &c. Much time was however ſpent, ſeveral councils of war held, and divers repreſentations made, before they could come to a reſolution, what number of ſhips to appoint for the ſpecial convoy, and how far to accompany them with the whole fleet. It was at laſt determined, that the whole fleet, together with the Mediterranean ſquadron, ſhould proceed together thirty leagues weſt ſouth-weſt from Uſhant; and that when the admirals ſpread a blue flag at the main top-maſt head, and fired three guns, ſir George Rooke, as well as the other convoys, ſhould go forward, according to the orders, which they had received from the lords of the admiralty;

1693. miralty; but, being come to the height limited, on the 4th of June, they reſolved, in another council of war, to proceed with the Mediterranean ſquadron twenty leagues farther, and then to return to the former ſtation, to take up the cruiſers, from whence it was judged adviſeable to proceed to the rendezvous north-weſt of Uſhant. Sir George Rooke therefore, with twenty-three men of war, and the Turky fleet, left the main body of the fleet on the 6th of June, and, ſteering for the ſtreights, left by the way the veſſels bound for Bilboa, Liſbon, St. Ubes, and other parts, under the convoy of two men of war. He was unhappy in that, which, upon any other occaſion, would have been a great happineſs; he had a fair and ſtrong gale of wind, ſo that no advice ſent after him could overtake him; nor did he meet with any ſhips at ſea, that could give him notice of the danger that lay before him. Being come, on the 17th, within ſixty leagues of cape Vincent, he diſcovered part of the French fleet[d], which made him call a council of war, wherein it was reſolved, that, the wind being freſh northerly, and giving a fair opportunity of haſtening their paſſage to Cadiz, the merchantſhips ſhould make the beſt of their way. Upon the diſcovery of the enemy's whole fleet, conſiſting of eighty ſail, commanded by monſieur de Tourville, Rooke being of opinion, that he was too far advanced to think of a retreat, reſolved to puſh for it; but, the Dutch vice-admiral Vandergoes bringing to, and letting him know, he choſe to avoid fighting, which he thought hazardous; he likewiſe brought to, and ſtood off with an eaſy ſail, that ſo the Dutch and the heavy ſhips might work up to the windward; ſending at the ſame time the Sheerneſs with orders to the ſmall ſhips, which were near the land, and could not (as he judged) keep up with the fleet, to endeavour to get along ſhore in the night, and ſave themſelves in Faro, St. Lucar, or Cadiz. About ſix in the evening, the French admiral and vice-admiral of the blue, which had the whole afternoon gained upon the ſqua-

[d] The French either were, or feigned to be, at firſt, in as great a ſurpriſe as the confederates; for they ſtood away with ſeveral of their ſhips, and abandoning others, ſet fire to them. And, though it may have been a decoy to draw them on, yet the great numbers of ſhips might very well make them apprehend it to be the whole body of the Engliſh and Dutch fleets coming upon them. And, indeed, had they come ſo far with them, ſuch an occaſion offered here, which perhaps might not be found again in an age, of deſtroying the whole naval force of France.

dron,

dron, notwithſtanding all the ſail they could make, came up with the leeward and ſternmoſt of the confederate fleet. 1693.
Theſe were three Dutch men of war, whereof two were commanded by the captains Schryver and Vander Poel, who for five hours together bravely fought, firſt eleven, and then ſeven of the enemy's men of war. They had the good fortune to get clear of the firſt eleven, but were at laſt forced to yield, after having made a moſt obſtinate reſiſtance [e]. The Dutch merchant-ſhips immediately tacked, and ſtood in for the ſhore, as the enemy did after them. The admiral ſtood off all night, having a freſh gale at north north weſt; and the next morning fifty-four of the merchant-ſhips, with ſeveral men of war, were about him; but of the latter no more than two of thoſe belonging to the Dutch, and one Hamburgher, five ſail of the enemy's ſhips being to the leeward, and two to the windward, which laſt kept ſight of him until it was night. The next day the admiral called the officers of the men of war and merchant ſhips on board him, to inform himſelf from them what account they could give of the reſt of the fleet, and to adviſe what was beſt to be done for their ſecurity; and at laſt determined to ſail to Maderas for water, and from thence, either to Cork or Kingſale, at the former of which ports he arrived on the 3d of Auguſt [f].

Thus

[e] The captains being carried on board the French admiral, he aſked Schryver, Whether he was a man or a devil?

[f] The following letter, written by captain Littleton, commander of the Smyrna-factor man of war from Cadiz, contains ſome particulars of this unfortunate affair, not mentioned in other accounts.

"The 26th of June, N. S. "ſays he, at nine in the morn- "ing, we arrived to the height "of cape Vincent. About two "in the afternoon the head-moſt "ſailors diſcovered the French, "and about four in the after- "noon both ſides engaged for "ſome time. After this the "head-moſt retired, and gave "notice the ſame evening to "the officer in chief. The 27th "in the morning we arrived near "Lagos, and our ſhips took a "fire-ſhip of the enemy's, which "reported, that there were at "Lagos eighteen French men "of war, with ſome fire ſhips "and merchant-men. About "four in the morning two ſhips "blew up, or elſe the enemy "ſet them on fire themſelves, "within cannon-ſhot of the "convoy. The commander "alſo gave the ſignal of draw- "ing into a line of battle; "for till then we deſcried no "more than nine and twenty "ſail of the enemies. There "was no wind ſtirring till ten "o'clock, at which time a freſh "gale aroſe, and then we diſ- "covered a greater number of

1693. Thus the enemy with great art had drawn the confederate ſquadron and the merchant-ſhips into this misfortune; and if they

" ſhips. The convoy alſo ſteer-
" ing ſouthward perceived on
" the one ſide forty ſail under
" three flags, beſide another
" ſquadron, which endeavoured
" to get between us and the
" coaſts; which the admiral ob-
" ſerving, gave notice to the
" merchant-men to make all the
" ſail they could for the port of
" Cadiz, while the men of war
" kept the enemy in play. This
" deſign was obſerved by the
" French, who made all the
" ſail they could to intercept us.
" But the convoy, having the
" wind, kept the enemy in play
" till the evening, and gave
" time to the nimbleſt ſailors to
" get hither. Towards five in
" the afternoon the eighteen
" French men of war above-
" mentioned engaged the con-
" voy, and the fight laſted ſome
" part of the beginning of the
" night, the reſt of the fleet
" not being able to come up
" with them. The 28th in the
" morning the fight began with
" greater fury, ſo that about
" ſeven o'clock our veſſels ſaw
" four ſhips on fire, not know-
" ing whether French or Engliſh,
" and the guns we heard till
" nine, though the event be not
" yet known. It is to be fear-
" ed we have loſt ſome men of
" war, and ſeveral merchants.
" The engagement happened
" about ſix miles from Cape St.
" Mary."

After having given an account of this misfortune from our own writers, let us now hear what the French ſay to it: " The " Engliſh and Dutch, ſays Fa-
" ther Daniel, ſuſtaining every
" day great loſſes from the
" French privateers, and more
" particularly by thoſe of St.
" Malo, had reſolved to ſecure
" their Smyrna fleet from any
" inſult; by putting it under a
" convoy of two and twenty
" men of war. Advice of this
" precaution being carried to
" the king of France, his ma-
" jeſty ordered the marſhal de
" Tourville to ſail with ſixty
" ſhips, towards the coaſt of
" Portugal, and then way-lay
" the Smyrna fleet. Their ſcouts
" diſcovered it a few days after-
" wards; but, as they had in-
" formation, the Engliſh were
" at ſea with a fleet of ninety
" men of war, which had been
" ſeen on the coaſt of France,
" the marſhal, who was not yet
" joined by the Toulon ſqua-
" dron, conſiſting of thirty ſhips,
" under the count d'Eſtrees,
" thought fit to detach twenty
" of his beſt ſailors, to take a
" view of the Engliſh fleet, and
" to begin the attack, if they
" did not find them much more
" numerous than themſelves;
" whilſt he would back them
" with the body of his fleet.
" They executed the orders
" given them, and took, at the
" beginning of the attack, two
" men of war; after which they
" burnt, ſunk, or run a-ground
" upon the coaſt ſixty merchant
" ſhips; ſeven and twenty were
" taken, and the remainder,
" which could not make their
" way for England, took refuge
" at St. Lucar, Cadiz and Gib-
" raltar. The marquis de Co-

ettogon,

they had purſued the advantage with as much conduct and reſolution, not a ſhip could well have eſcaped them; for the admiral and vice-admiral of the blue were within ſhot of Sir George Rooke, when they tacked and ſtood in for the ſhore after the Dutch; which tacking ſaved the reſt of the fleet, by giving them opportunity to make their eſcape. However, the loſs was very conſiderable, and fell hardeſt on the 1693.

" etlogon, commander of a " ſquadron, burnt four ſhips very " richly laden at Gibraltar, and " carried off thirteen, though " they were defended by the " batteries of the place, and an " eſtacade. If a greater num- " ber of men of war had taken " the ſame courſe by night, as " the ſieurs de Belliſle, Errard, " de Chaland, and d'Henri, the " Engliſh and Dutch would have " ſuſtained a far greater loſs; " though, as it was, it amount- " ed, according to the relations " of the captains of ſhips, who " were taken, to above twenty " millions of livres." Monſieur de Forbin, who was in the action, gives us the following account of it in his memoirs: " The " king of France's fleet, which " conſiſted of ſeventy-five men " of war, commanded by the " marſhal de Tourville, ſet ſail " for the ſtreights of Gibraltar, " where the count d'Eſtrees, who " was coming with twenty other " ſhips from Provence, was to " join them. They came to " anchor in the road of Lagos " on the coaſt of Portugal. I " was ſent out for intelligence, " with orders ſtrictly to examine " whatever came to my view; " and particularly, if I ſaw a " great number of ſhips, I was " to make it my buſineſs to diſ- " cover whether they were mer- " chant-men, or the enemy's " ſhips of force. I was accom- " panied with three other cap- " tains, who were ſent on the " ſame errand. We ſet ſail to- " gether, and in a few days we " diſcovered a fleet of the ene- " my's merchant-men. We " found they conſiſted of up- " wards of a hundred and fifty " ſail, of which being well aſ- " ſured, we returned with all " poſſible haſte to the fleet, to " inform the admiral, that it " was a fleet of merchant-men, " and not men of war. Upon " this advice the admiral made " ready for ſailing, and ſtretch- " ed out (for what reaſon I am " at a loſs to ſay) before the " wind, to ten leagues diſtance. " The next day our whole fleet " diſcovered the enemy. The " admiral gave orders for the " chace, but the enemy took " the advantage of the wind " which our working the night " before had made us loſe, and " made off, in ſo much, that we " did them very little damage. " We took nevertheleſs two of " their men of war of ſixty guns, " and about thirty of their mer- " chant ſhips, which ran a- " ground on the coaſt of Por- " tugal, were burnt; I burnt " three of them myſelf, and " took a fourth. It was happy " for them, that they came off " ſo well; for, had it not been " for the falſe ſtep I juſt men- " tioned, their whole fleet would " have been loſt."

1693. Dutch; for, beſides four of the greateſt Smyrna ſhips, and one Dutch man of war, which monſieur Coetlogon burnt or ſunk at Gibraltar, and ſeven, which he took, monſieur d'Eſtrees took two Dutch men of war, burnt a rich pinnace and an Engliſh man of war, took twenty-nine merchantmen, and deſtroyed about fifty more. The French, inſtead of following Rooke to the Maderas, tried what they could do upon Cadiz, but found that it was not practicable. They came next to Gibraltar, where the merchants, terrified at the bombs thrown among them, ſunk their ſhips to prevent their falling in their hands. From thence they ſailed along the coaſt of Spain, and burnt ſome Engliſh and Dutch ſhips at Malaga, Alicant, and other places. They hoped to have deſtroyed the Spaniſh fleet; but they put in at Port Mahon, where they were ſafe. At length, after a glorious campaign the French came back to Toulon. Thus the voyage was quite loſt, and the diſgrace of it was viſible to the whole world, and very ſenſible to the trading part of the nation.

Jealouſies of the miniſtry.

The appearances were ſuch, that it was generally ſurmiſed, our counſels were betrayed. The ſecretary, that attended on the admirals, was much ſuſpected, and charged with many things: But the ſuſpicions roſe high, even as to the ſecretary of ſtate's office. It was ſaid, that our fleet was kept in port, till the French were laid in their way, and was then ordered to ſail, that it might fall into their hands: Many particulars were laid together, which had ſuch colours, that it was not to be wondered at, if they created jealouſy, eſpecially in minds ſufficiently prepared for it. Upon enquiry it appeared, that ſeveral of thoſe, who, for the laſt two years, were put in the ſubaltern employments, through the kingdom, did upon many occaſions ſhew a diſaffection to the government, and talked and acted like enemies. Our want of intelligence of the motions of the French, while they ſeemed to know every thing that we either did, or deſigned to do, caſt a heavy reproach upon our miniſters, who were now broke ſo in pieces, that they acted without union or concert: Every one ſtudied to juſtify himſelf, and to throw the blame on others: A good ſhare of this was caſt on the earl of Nottingham; the marquiſs of Caermarthen was much ſuſpected: The earl of Rocheſter began now to have great credit with the queen, and ſeemed to be ſo violently ſet againſt the whigs, that they looked for dreadful things from him, if he came again to govern: For, being naturally warm, and apt to heat himſelf in company, he broke out into ſallies, which were car-

carried about, and began to create jealouſies, even of the queen herſelf. 1693.

But, while France was thus triumphing every where over the allies, ſhe had a more dangerous enemy to encounter within her own bowels, famine. This was occaſioned by two bad harveſts that came ſucceſſively one after the other. They had alſo ſuffered much in their vintage, ſo that they had neither bread nor wine. Great diligence was uſed to bring in corn from all parts; and the famous Dubart ſeaſonably brought great quantities from Sweden and Denmark, which he ſafely convoyed into the harbours of France. Strict orders were given by the court for regulating the price of corn, and furniſhing the markets with it. There was alſo a liberal contribution ordered by the French king for the relief of the poor. But, after all poſſible care to alleviate the miſery, great multitudes periſhed for want; and the whole kingdom fell under an extreme poverty: So that all the pomp of thoſe victories could not make them eaſy at home. They tried all poſſible methods for bringing about a general peace; or, if that failed, for a ſeparate peace, with ſome of the confederates: But there was no diſpoſition in any to hearken to them, nor could they engage the northern crowns to offer their mediation. Some ſteps were indeed taken, and a memorial was preſented to king William, by the Daniſh miniſter, wherein ſome offers were made by France not only to the Empire, Spain and Holland, but likewiſe to England: But, as the demands of the French were ſtill ſo high, that there was no proſpect of a juſt peace, theſe offers were rejected [g].

A great ſcarcity in France. Burnet.

The French try in vain to make a peace.

Affairs

[g] This memorial was as follows:

London, Dec. 19. O.S. 1693.

SIR,

The deſolation this preſent war carries into moſt parts of Europe, together with the duty incumbent on a chriſtian king, to apply all the remedies, that lie in his power, to ſo general a calamity, oblige the king of Denmark, my maſter, to impart to your majeſty thoſe propoſals of peace, which the moſt chriſtian king has communicated to him. My maſter might have reaſon to decline his offices towards the peace of Europe, and taking upon him ſo important a negotiation, ſince the advances he has already made, as well as the king of Sweden, have not only proved ineffectual, but likewiſe been ſo miſconſtrued, as to render them ſuſpected. Nevertheleſs, it is moſt evident, that without any proſpect of private intereſt (the union of the northern crowns, for the ſecurity of the trade of their reſpective ſubjects, being ſo well eſtabliſhed, and enjoying the privileges of neutrality, that the continu-

1693. Affairs in Scotland grew more and more out of joint. Many, whom the king had truſted in the miniſtry there, were thought

Affairs of Scotland.

ation of the war might very much increaſe the riches of their majeſties dominions) the public welfare of Europe, and the deſire to ſee a juſt and laſting peace reſtored, have prevailed above all other conſiderations. Wherefore the king, my maſter, has repreſented to the moſt chriſtian king, that the propoſals, which he has made hitherto towards a general peace, have been looked upon by the confederates rather as a means to diſunite them, and to cruſh and ſubdue them one after another, than as a mark of his ſincere intentions of ſettling the public repoſe. But his moſt chriſtian majeſty, to remove all manner of diſtruſt, has not only, by repeated proteſtations, aſſured the king my maſter of the ſincerity of his ſentiments in this affair, but has likewiſe delivered a project of a general peace, and added to the conditions, that concern the empire, and which are already known to your majeſty, ſome others relating to the reſt of the allies, which are comprehended in the following heads:

I. That, notwithſtanding the advantages his arms have gained this campaign, no alterations ſhall be made in the conditions his moſt chriſtian majeſty has already offered to the emperor, the princes and ſtates of the empire, and the dukes of Lorrain and Savoy.

II. His majeſty ſhall reſtore to the catholic king the important place of Roſes, and that of Belvers, and whatever has been conquered in Catalonia during the preſent war.

III. Towards the forming a barrier in the Low Countries, which may remove all jealouſy and uneaſineſs from the ſtates of Holland, his moſt chriſtian majeſty ſhall, upon that conſideration, reſtore the places of Mons and Namur to the king of Spain, and cauſe Charleroy to be razed.

IV. His ſaid majeſty ſhall reſtore to the biſhop of Liege the town and caſtle of Huy, and recompenſe him for Dinant and Bouillon, by annexing upon that account to his biſhoprick ſuch a portion of the country of Luxemburg, as ſhall be moſt convenient to that biſhop, and judged equivalent by arbitrators.

V. His majeſty conſents, that the treaty of commerce made at Nimeguen with the ſtates be renewed without any alteration.

VI. His majeſty thinks the ſtates of Holland will be glad to obtain ſuch important reſtitutions, and to put an end to the war by a peace ſo advantagious both to Spain and all the allies, eſpecially after the proſperous campaigns of France, which may be ſtill attended with others no leſs ſucceſsful. But that neither Holland, nor any other ſtate of Europe, may have any ground of apprehenſion, that, upon pretence of new rights, his majeſty will extend the boundaries of his dominions in the Low-Countries, beyond what ſhall be regulated by the treaty, his majeſty declares, that, in caſe the king of Spain dies without iſſue, he conſents, that the

thought enemies to him and his government; and ſome took ſo little care to conceal their inclinations, that, when an in- 1693.

vaſion

the Low-Countries fall to the ſhare of the duke of Bavaria, upon condition, that the emperor makes the ſame declaration. And his majeſty ſhall, as well for himſelf, as for the dauphin his ſon, confirm the ſaid renunciation by all the formalities neceſſary for that purpoſe, in behalf of his electoral highneſs.

His moſt chriſtian majeſty hopes, that this laſt engagement will, more than any thing beſides, ſecure to the confederates the firmneſs of the peace they ſhall make with him. And he thinks, that, after ſo advantageous propoſals, the world will ſoon know, whether Europe may hope to ſee the public tranquility reſtored, or whether the preparations of war are to be renewed.

This, Sir, is what the moſt chriſtian king has communicated to the king, my maſter, and which his majeſty has commanded me to impart to you. He does in no manner pretend to preſcribe rules to your majeſty, ſince your prudence will beſt judge what is moſt for your glory and intereſt; but however, he thinks theſe propoſals deſerve a ſerious conſideration. And, becauſe there is no mention made of England, the king, my maſter, has made it already his buſineſs to incline the moſt chriſtian king not to inſiſt upon that, which might put a ſtop to the general peace. In the mean time, the king, my maſter, thinks it neceſſary, that, in order to advance a work ſo profitable and beneficial to all Europe, a negotiation be ſet on foot. And his majeſty is the more confirmed in this opinion, by reaſon the winter will ſoon be over, and that it is to be feared, leſt by delaying till the next campain an opportunity be given to France, either of enlarging her conqueſts, or by a powerful irruption into Germany, and the ſuperiority of her forces, to divide the confederacy; which would give a juſt pretence to that crown of recalling the offers ſhe has already made, and render a peace very difficult, if not altogether impoſſible. The king, my maſter, does not only offer to become guarantee with all the princes and potentates, that will concur with him, but likewiſe to unite himſelf in particular with your majeſty by a moſt ſtrict and indiſſoluble alliance.

Upon the whole matter, the king, my maſter, is perſuaded, that nobody has more reaſon to contribute to this peace, than your majeſty, ſince it will confirm to you the glory and advantages you have gained during the war; and will beſides make Europe to be eternally beholden to your majeſty for the peace ſhe groans after. If your majeſty thinks, that there is any thing defective, in relation to the ſecurity of the peace, or that wants to be either altered or explained, the king, my maſter, engages to procure to your majeſty all the ſatisfaction imaginable; and, if you are pleaſed

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1693. vaſion was looked for, they ſeemed reſolved to join in it. They were taken out of a plot, which was managed by perſuading many to take oaths to the government, on deſign to betray it; and were now truſted with the moſt important poſts. The preſbyterians began to ſee their error, in driving matters ſo far, and in provoking the king ſo much; and they ſeemed deſirous to recover his favour, and to manage their matters with more temper. The king came likewiſe to ſee, that he had been a little too ſudden in truſting ſome, who did not deſerve his confidence. Duke Hamilton had for ſome years withdrawn from buſineſs; but he was now prevailed with to return to council; many letters were intercepted between France and Scotland: In thoſe from Scotland, the eaſineſs of engaging that nation was often repeated, if no time were loſt; it ſeemed therefore neceſſary to bring that kingdom into a better ſtate.

Proceedings of the parliament of Scotland. Vernon. MS.

A ſeſſion of parliament was held there [h], which, on the 18th of April, was opened with a ſpeech by the duke of Hamilton, his majeſty's commiſſioner, and another by the earl of Tweedale, the lord chancellor of that kingdom; after which the king's letter was read, which exhorted that aſſembly to union; to which letter they returned a very dutiful anſwer. On the 25th of that month, the committee, appointed to conſider of the ſecurity of the nation, voted, that four new regiments of foot, and two of horſe, ſhould be immediately raiſed, to make up the forces then ſubſiſting in that kingdom ſix thouſand men, without reckoning thoſe on the Engliſh eſtabliſhment; and that for maintaining them, and defraying other public expences, a ſupply ſhould be given their majeſties of 114,000 l. ſterling, to be raiſed in eighteen months. The parliament was engaged the ſame day in a debate about their abſent members; and as it appeared, that ſeveral had never come to the houſe ſince the convention

to confide in his mediation, he will manage it to your majeſty's intire ſatisfaction. Laſtly, the king, my maſter, has commanded me to aſſure your majeſty, that, being, upon ſeveral accounts, concerned in the proſperity of your royal family, he will to the utmoſt of his power, promote its intereſt and advantage, and deſires your majeſty to be perſuaded, that all the advances he has made in this affair have no other aim, and are grounded upon no other principle.

[h] Theſe proceedings are taken from MS. original letters of Mr. James Vernon (under-ſecretary to Sir John Trenchard, ſecretary of ſtate) to Sir William Dutton Colt, envoy extraordinary at Hanover.

had

had been turned into a parliament, and had neither taken the oath of fidelity to their majeſties, nor the aſſurance (which latter was an abjuration of the late king James) it was reſolved and declared, that their places were void; that new elections ſhould be made in their ſtead, and that fines ſhould be ſet upon thoſe abſentees. With regard to other members, who had taken the oath of fidelity, but not the aſſurance, they were ſummoned to appear in parliament by the 15th of May, and to take the aſſurance; and, in default thereof, to be dealt with as the others. And laſtly, as the heretors or free-holders of the ſhire of Angus, out of their diſaffection to the government, had hitherto refuſed to chuſe members to be ſent to parliament, it was reſolved, that the ſaid heretors ſhould be cited before the parliament on the 15th of May, to ſhew why they had omitted to chuſe their members. 1693.

Secretary Johnſton likewiſe laid before a private committee an information, which he had received, of dangerous practices againſt the government, and how the late endeavours to alter the magiſtracy of Edinburgh were concerted by the enemies of the government; and he produced proofs of the ſame, and of the deſigned invaſion the laſt year.

The Scots parliament proceeded to augment their tax, ſo as to proportion it to the maintenance of ſix thouſand three hundred men; to ſupply the magazines of the kingdom with arms and ſtores, and to ſatisfy the country for their arrears of quarters; ſo that the whole ſum then given amounted to 156,000 l. ſterling, to be raiſed in eighteen months, upon theſe branches, viz. 48,000 l. by a poll, 45,000 l. by an exciſe upon beer and malt, and by continuing the ceſs upon land, which was then to laſt ſeven months and an half, to ten months and a half beyond that term, 63,000 l.

The committee for the ſecurity of the kingdom, who had before them ſeveral intercepted letters and papers, relating to dangerous deſigns and practices againſt the peace of the kingdom, having made their report to the parliament, it was reſolved, that there were ſufficient proofs to evince, that a deſign was carried on both there and in France, for invading the nation with foreign force; and that, in order thereunto, there were eſtabliſhed correſpondencies and concerts; and that aſſurances had been given both at home and abroad, for effecting ſuch a deſign, which had lately proceeded ſo far, that declarations were concerted for that purpoſe, and the raiſing of men, and naming of officers to command them, were reſolved; as alſo reconciliations made amongſt the different

1693. ferent parties of the diſaffected; and the proofs were plain, that the late king James's intereſt was at the bottom of the late debates concerning the elections at Edinburgh; with regard to which, king James had been deſired to interpoſe his authority by letters. In the debate of this vote it was endeavoured to divide it into queſtions, and to ſeparate the latter part, which related to the magiſtracy of Edinburgh, from the former part of deſigns in general; but, the houſe reſerving that upon the previous queſtions by three to one, the main queſtion was carried without any diviſion.

The whole preſbyterian party in Scotland was now again intire in the king's intereſt. The matters of the church were brought to more temper than was expected. The epiſcopal clergy had more moderate terms offered them; they were only required to make an addreſs to the general aſſembly, offering to ſubſcribe to a confeſſion of faith, and to acknowledge preſbytery to be the only government of that church, with a promiſe to ſubmit to it; upon which, within a fortnight after they did that, if no manner of ſcandal was objected to them, the aſſembly was either to receive them into the government of the church, or, if they could not be brought to that, the king was to take them into his protection, and maintain them in their churches, without any dependance upon the preſbytery. This was a ſtrain of moderation, that the preſbyterians were not eaſily brought to. A ſubſcription, that owned preſbytery to be the only legal government of that church, without owning any divine right in it, was far below their uſual pretenſions. And this act veſted the king with an authority very like that, which they uſed to condemn as Eraſtianiſm. Another act was alſo paſſed, requiring all perſons in any office of the church or ſtate to take, beſides the oath of allegiance, a declaration called the Aſſurance, owning the king and queen to be their rightful and lawful ſovereigns, and promiſing fidelity to them againſt king James and all his adherents. This council was alſo impowered to tender theſe, as they ſhould ſee cauſe for it, and to fine and impriſon ſuch as ſhould refuſe them.

When the ſeſſion was near an end, Nevil Payne was brought before the parliament to be examined, upon the many letters which had been intercepted. There was a full evidence againſt him in many of his own letters; but he ſent word to ſeveral of the lords, and in particular to the duke of Hamilton, that, as long as his life was his own, he would accuſe none; but that he was reſolved he would not die, ſince he could diſcover enough to deſerve his pardon. This ſtruck

ſuch

such a terror into many of them, whose sons and near relations had been concerned with him, that he moving for a delay, on a pretence of some witnesses, who were not then at hand, a time was given him beyond the continuance of the session; by which he escaped, and that inquiry was suppressed. 1693.

The session ended calmly; but the king seemed to have got Scotland so intirely, that he let three months go over, before he took notice of any of their petitions. And though he had asked, and had supplies for an augmentation of forces, and many had been gained to consent to the tax by the hope of commissions in the troops, that were levied, yet the king did not raise any new ones, but applied the supply to other uses. This began to raise an ill humour, which had been almost quite laid aside in the whole course of this session, which was thought a reconciling one. The episcopal clergy let slip the day prefixed for making their submission to the assembly, and did not take the oaths; for which reason they could claim no benefit by the acts that had been carried in their favour, not without some difficulty. And the law, which was intended to save them, did now expose them to ruin, since by it they, not taking the oaths, had lost their legal rights to their benefices. However, they were suffered to continue in them, and were put in hope, that the king would protect them, though it was now against law. They were also made to believe, that the king did not desire, that they should take the oaths, or make any submission to presbytery. And it is certain, that no public signification of his majesty's mind was made to them; so that they were easily imposed upon by surmises and whispers; and upon this the distractions grew up afresh. Many concluded, there, as well as in England, that the king's heart led him still to court his enemies, even after all the manifest reasons, which he had to conclude, that the steps they had made towards him were only feigned submissions to gain such a confidence, as might put it in their power to deliver him up.

The earl of Middleton had gone over to France in the beginning of this year; and it was believed, that he was sent by a great body of men, with a proposition, which, had he had the assurance to have made, and the court of St. Germains the wisdom to have accepted, might have much increased the factions and jealousies of the nation. It was, that king James should offer to resign his title in favour of his son; and likewise to send him to be bred up in England, under the direction of a parliament, till he should be of age. The earl of Middleton went to France. Burnet.

But

1693. But it is not known, whether the earl ever ventured upon this advice; but in another he ſucceded better. When king James thought the invaſion from Normandy, the former year, was ſo well laid, that he ſeemed not to apprehend it could miſcarry, he had prepared a declaration, of which ſome copies were brought over. He promiſed nothing by it, and pardoned nobody by it, but ſpoke the high conqueror, who thought he was maſter, and therefore would limit himſelf by no promiſes, nor ſuch as were conceived in general words, which might be afterwards expounded at pleaſure. This was much blamed even by his own party, who thought, that they themſelves were not enough ſecured by ſo looſe a declaration; and therefore the earl of Middleton, upon his going over, procured one of another ſtrain, which, as far as words could go, gave all content; for king James promiſed every thing, and pardoned all perſons. His party got this into their hands, and they waited for a fit occaſion to publiſh it to the nation.

Affairs of Ireland. Burnet. Kennet.

A parliament had been ſummoned in Ireland, by the lord Sidney; but they met full of diſcontent; and were diſpoſed to find fault with every thing: And there was too much matter to work upon; for the lord lieutenant was apt to excuſe and juſtify thoſe who had the addreſs to inſinuate themſelves into his favour: So that they were diſmiſſed, before they had brought their bills to perfection. The Engliſh in Ireland thought the government favoured the Iriſh too much; ſome ſaid, this was the effect of bribery, whereas others thought it was neceſſary to keep them ſafe from the proſecutions of the Engliſh, who hated them, and were much ſharpened againſt them. The protecting the Iriſh was indeed in ſome ſort neceſſary, to keep them from breaking out, or running over to the French; but it was very plain, that the Iriſh were ſtill enemies to the Engliſh nation, and to the preſent government: So that all kindneſs ſhewed them, beyond what was due in ſtrict juſtice, was the cheriſhing an inveterate enemy. There were alſo great complaints of an ill adminiſtration, chiefly in the revenue, in the pay of the army, and in the embezzeling of ſtores. Of theſe, much noiſe was made in England, which (as has been related) drew addreſſes from both houſes of parliament to the king, which were invidiouſly penned; every particular being ſeverely aggravated. Upon this the king recalled the lord Sidney, (who was made maſter of the ordnance) and put the government of Ireland into three lords juſtices; lord Capel, ſir Cyril Wyche, and Mr. William Duncomb, who had lately been envoy extraordinary in Sweden. When they were

were ſent from court, the queen did very earneſtly recommend to their care, the reforming of many diſorders, that were prevailing in that kingdom: For neither had the late deſtructive war, out of which they were but beginning to recover themſelves, nor their poverty, produced thoſe effects [illegible] have been expected. 1693.

Proclamation againſt exporting corn. Boyer.

[illegible] into conſideration, that the great ſcarcity and conſequent price of corn in France invited the exportation of it from this kingdom thither, whereby not only her enemies were ſupplied, but her own ſubjects might be expoſed to want; ſhe iſſued out a proclamation for preventing the exportation of corn to France, and inhancing the price of it at home; and, becauſe by this further command the poor were like to become ſufferers, ſhe at the ſame time ordered all the laws in force for ſetting them at work to be effectually put in execution.

The king returns to England. Oct. 29.

In October, the king arrived at the Hague from Loo, and prevailed with the ſtates of Holland to agree to the raiſing of fifteen thouſand men for augmenting the land forces; and likewiſe to the addition of a conſiderable number of ſhips to their navy; for which he thanked them in their public aſſembly. The king having waited almoſt a month for a fair wind, embarked at laſt on the 28th of October, landed at Harwich the 29th, and on the 30th arrived at Kenſington.

The fifth ſeſſion of parliament.

The parliament being met on the 7th of November, purſuant to the laſt prorogation, the king made the following ſpeech to both houſes:

"My Lords and Gentlemen,

The king's ſpeech. Pr. H. C. II. 415.

"I AM always glad to meet you here, and I could heartily "wiſh, that our ſatisfaction were not leſſened at preſent, "by reflecting upon the diſadvantages we have received "this year at land, and the miſcarriages in our affairs at "ſea. I think it is evident, that the former was only occa- "ſioned by the great number of our enemies, which exceed- "ed ours in all places. For what relates to the latter, which "has brought ſo great a diſgrace upon the nation, I have "reſented it extremely; and as I will take care, that thoſe, "who have not done their duty ſhall be puniſhed, ſo I am "reſolved to uſe my utmoſt endeavours, that our power at "ſea may be rightly managed for the future. And it will "well deſerve your conſideration, whether we are not de- "fective both in the number of our ſhipping, and in proper "ports to the weſtward, for the better annoying our enemies,

"and

1693. " and protecting our trade, which is ſo eſſential to the wel-
" fare of this kingdom.

" My Lords and Gentlemen,

" I am very ſenſible of the good affection, wherewith
" you have always aſſiſted me to ſupport the charges of the
" war, which have been very great; and yet I am per-
" ſuaded, that the experience of this ſummer is ſufficient to
" convince us all, that to arrive at a good end of it, there
" will be a neceſſity of increaſing our forces both by ſea and
" land the next year. Our allies have reſolved to add to
" theirs; and I will not doubt, but you will have ſuch re-
" gard to the preſent exigency, as that you will give me a
" ſuitable ſupply to enable me to do the like. I muſt there-
" fore earneſtly recommend it to you, gentlemen of the
" houſe of commons, to take ſuch timely reſolutions, as
" that your ſupplies may be effectual, and our preparations
" ſo forward, as will be neceſſary both for the ſecurity and
" the honour of the nation."

Miſcarriages of the fleet inquired into. Pr. H. C. II. 416, 418, &c.

In anſwer to this ſpeech the commons unanimouſly reſolved, that they would " ſupport their majeſties and their go-
" vernment," and grant a ſufficient ſupply for the vigorous proſecution of the war. But the firſt thing they did was to inquire into the miſcarriages of the fleet the laſt ſummer, and to take into their conſideration the preſervation of the trade of the nation. Some time having been ſpent in examining the inſtructions and orders given to the fleet, the number of ſhips for the line of battle, and of the convoys and cruiſers; the admirals, who commanded both, and the reſults of the ſeveral councils of war held by them; the commons reſolved, on the 17th of November, " that it was
" their opinion, that there had been a notorious and treacher-
" ous miſmanagement in the miſcarriage of the Smyrna
" fleet." Their next inquiry was, " Why the Streights
" fleet was ſtopped till the main fleet went out?" and then,
" Why the main fleet did not convoy ſir George Rooke's
" ſquadron, and the merchant-ſhips, out of danger of the
" French?" And it being alledged, that the main fleet was not ſufficiently victualled, the commons examined the ſtate of the victualling the fleet at its ſailing from Spithead, and thereupon reſolved, on the 27th of November, " That there was
" ſufficient beer on board the main fleet, when ſir George
" Rooke ſeparated, to have convoyed his ſquadron, and the
" merchant-ſhips out of danger of the Breſt fleet." Two days

days after the queſtion being put, "That *it did* appear to "that houſe, that the admirals, that commanded the fleet "the laſt ſummer, had, on the 11th of May laſt, informa- "tion, that part of the Breſt fleet was going out to ſea," it paſſed in the negative. And on the 6th of December another queſtion being put, "That the admirals, by not ſending "into Breſt, for intelligence, before they left the Streights "ſquadron, were guilty of a high breach of the truſt that "was repoſed in them, to the great loſs and diſhonour of "the nation," it was likewiſe carried in the negative by a hundred and eighty-five againſt a hundred and ſeventy-five. 1693.

The houſe of lords likewiſe took into conſideration this affair, and after hearing the admirals, and reading the letters and orders in relation to it, reſolved, on the 10th of January, "that the admirals, who commanded the fleet laſt "ſummer, had done well in the execution of the orders "they received;" though ſome lords entered their proteſt [i]. Pr. H. L. I. 422.

There

[i] It was as follows:

1. Whereas by an order of the admiralty, bearing date the 19th of May laſt, the admirals were to direct ſir George Rooke, that, after their parting with him, he ſhould ſteer ſuch a courſe for his paſſage to Cadiz, as ſhould be thought moſt ſafe by a council of war, with relation as well to the Breſt fleet, if gone out to ſea, as the Thoulon ſquadron; it does not appear to us, that there has been any council of war from the 22d of May to the 4th of June, which was the day the ſignals were given for their parting from the Streights fleet; which laſt council of war was not called till after the ſignals for parting were given, and occaſioned by the accident of the Turky fleet's being becalmed.

2. That though it does appear by the reſult of the council of war the 4th of June, that they had no intelligence where the enemy was; yet notwithſtanding we do not find in that council, it was ſo much as propoſed, how to get intelligence where the Breſt fleet was, purſuant to the order of the admiralty of the 19th.

3. We conceive it to be the duty of an admiral or general to uſe his utmoſt endeavours to diſcover the motions of an enemy, without an order from his ſuperiors, and much more when he has one:

4. Their not ſending one or more good ſailors to find out if the French fleet were ſailed from Breſt, as alſo what courſe they ſteered, ſo as to give intelligence to our main fleet, at a ſtation appointed, before they parted with Sir George Rooke, was, as we conceive, the chief cauſe of the misfortune that happened to the Turky fleet.

5. It appears by the admiral's own letters to the admiralty of the 14th of July, and 18th of September laſt, that at a council of war held on the 22d of May,

1693. There was likewiſe a conference between the two houſe upon the ſame ſubject [k].

they were of opinion, that that part of the admiralty's order of the 19th, which related to the courſe ſir George Rooke was to ſteer, was unreaſonable and impracticable; yet they did ſend up to have it explained, though the fleet did not ſail till the 30th. This looks as if they rather deſigned an artificial excuſe for doing nothing, than the diſcharge of the truſt repoſed in them.

6. That ſir George Rooke's narrative, which might have given a farther light to the inquiry into the admiral's conduct laſt ſummer, was not allowed to be read.

7. This vote ſeems to approve of the behaviour of the admirals in the laſt ſummer's expedition, which differs, as we conceive, from the opinion the greateſt part of Europe has of it, and may be of ill conſequence, by giving our allies no very fair proſpect of better ſucceſs.

8. Becauſe by this vote is prevented any further inquiry into the laſt year's miſcarriage relating to the admirals, if any new matter ſhould ariſe from new evidence; and it may ſtop any proſecution of the king's, in caſe he ſhould think fit to proceed further in this affair.

Bolton,
Berkeley of Berkely,
Stratford,
Oxford,
Oſſulſtone,
Clifford,
J. Bridgewater,
Devonſhire,
Stamford.

Pr. H. L. J. 422.

[k] On the [illegible] conference [illegible] by the [illegible] before [illegible] Nottingham [illegible] of a letter dated from [illegible] the 11th N. S. received [illegible] the 30th O. S. 1693, as follows:

"There are ſixty-eight ſhips, "in which there are thirty "thouſand one hundred and "eighteen men, and four thou- "ſand eight hundred and ſeven- "ty-ſix guns.

"We have news ſince, that "this fleet was ſailed, and was "out of ſight."

And whereas upon an addreſs to the king, that ſuch lords as are of the privy-council, may have permiſſion from his majeſty to acquaint the houſe; when the intelligence of the French fleet's ſailing from Breſt was communicated to the admirals of the fleet:

Thereupon ſeveral of thoſe lords informed the houſe, that the ſaid letter was laid before the committee of the council; and, that it was taken for granted, that the intelligence therein was ſent to the admirals of the fleet; but it not appearing clearly, whether it was ſo communicated or not, their lordſhips deſired of the houſe of commons to inquire by the moſt proper methods of the members of that houſe, who were of the privy-council, whether this intelligence of the French

Before this inquiry in parliament, the admirals had been examined at the council-board; but nothing could be made to appear to the prejudice of their honour, only ſome flying reports, which gave occaſion to this order of council on the 25th of Octob[illegible] "Whereas a report has been raiſed and "ſpread by [illegible] Killegrew, ſir Ralph Delaval, and ſir "Cloudeſ[illegible] admirals of their majeſties fleet, that the "right [illegible] viſcount Falkland, one of the lords "of t[illegible] honourable privy-council, did, upon "rea[illegible] while ſomething that was mate-"rial to [illegible] the lords of the council having con-"ſidered of, [illegible] into the matter, are ſatisfied, and "do declare, [illegible] ſaid report is falſe and ſcandalous; al-"though, upon [illegible] examination it did alſo appear, 1693.

French fleet's being ſailed out of Breſt, was communicated to the ſaid admirals, and when it was ſo communicated. Accordingly an humble addreſs was voted, that his majeſty would be pleaſed to command, that a copy of the ſaid letter might be laid before the houſe; and likewiſe that his majeſty would permit ſuch members of the houſe, as were of his privy-council, to acquaint the houſe what intelligence was received of the French fleet's ſailing from Breſt, and whether, and when the ſaid intelligence was communicated to the ſaid admirals.

On the 10th of February, Mr. ſecretary Trenchard, according to order, preſented to the houſe of commons an account in writing of the ſaid letter and intelligence, viz. that he believed the earl of Nottingham did, on May 31, bring to a committee of council a letter from Paris, dated June 1. N. S. and received May 30. O. S. an extract of which the lords had communicated to the houſe; but he did not remember that this letter was publickly read at the committee, though ſeveral lords might read it ſingly; but that, it remained in the hands of the earl of Nottingham, there being no reſolution taken at the ſaid council, that the ſaid letter ſhould be communicated to the admirals of the fleet. That, to the beſt of his remembrance, a liſt of the French fleet, being part of the ſaid letter, was the ſame day ſent to him by the earl of Nottingham; a copy of which liſt he ſent to the admirals, as appeared by comparing it with the papers delivered by them into the houſe. That the ſame day there came a letter from Scilly, dated May 7th, with advice, that the French fleet was ſeen off that iſland; which letter being publickly read at the committee, a copy thereof, together with the abovementioned liſt, was immediately by two expreſſes ſent to the admirals of the fleet, and were received by them. It was reſolved therefore by the houſe of commons, that the ſame be communicated to the lords at a conference; which was done accordingly. But it does not appear, that it was attended with any extraordinary conſequences.

1693. "that ſomething happened, which might miſlead the admi-
"rals into that error. And it is ordered in council, that
"this be printed and publiſhed in the Gazette" [1].

A bill "for the more frequent elections of parliaments" having, after the third reading, been rejected by the commons on the 28th of November, another bill to the ſame purpoſe was ſent down to them by the lords, which being read the third time, was likewiſe rejected.

Supplies voted. The commons, having unanimouſly voted a ſupply for the vigorous proſecution of the war, agreed, on the 25th of November, "that the ſum of 500,000l. be raiſed towards the "diſcharging the wages due to the ſeamen; and that a farther "ſum of two millions be granted to their majeſties, in full, "for the maintenance of the fleet, including the ordnance, "by reaſon of the revenue now falling ſhort." As for the army, the commons, having examined the offenſive treaties

[1] Biſhop Burnet ſays, The enquiry into the conduct at ſea, particularly, with relation to the Smyrna fleet, took up much time, and held long: Great exceptions were taken to the many delays; by which it ſeemed a train was laid, that they ſhould not get out of our ports, till the French were ready to lie in their way, and intercept them; our want of intelligence was much complained of: The inſtructions that the admirals, who commanded the fleet, had received from the cabinet council, were thought ill given, and yet worſe executed; their orders ſeemed weakly drawn, ambiguous, and defective: Nor had they ſhewed any zeal in doing more, than ſtrictly to obey ſuch orders: They had very cautiouſly kept within them, and had been very careful never to exceed them in a tittle: They had uſed no diligence to get certain information concerning the French fleet, whether it was ſtill in Breſt, or had ſailed out; but, in that important matter, they had truſted general and uncertain reports too eaſily: Nor had they ſailed with Rooke, till he was paſt danger. To all this their anſwer was, That they had obſerved their orders; they had reaſon to think, the French were ſtill in Breſt; that therefore it was not ſafe to ſail too far from the coaſt of England, when they had (as they underſtood) ground to believe, that they had left behind them a great naval force, which might make an impreſſion on our coaſt, when they were at too great a diſtance from it; the getting certain intelligence from Breſt, was repreſented as impracticable. They had many ſpecious things to ſay in their own defence, and many friends to ſupport them; for it was now the buſineſs of one party to accuſe, and of another to juſtify that conduct. In concluſion, there was not ground ſufficient to condemn the admirals; as they had followed their inſtructions: So a vote paſſed in their favour. II. 125.

that

and alliances, which the king was now under with the confederates, and the proportions of forces that the confederates were obliged to make for the carrying on this preſent war, unanimouſly reſolved, on the 20th of December, That the number of the land-forces in their majeſties pay be increaſed by the raiſing ſix new regiments of Engliſh horſe, four new regiments of Engliſh dragoons, and fifteen new regiments of Engliſh foot, to be commanded by officers, who were their majeſties natural born ſubjects: That eighty-three thouſand one hundred and twenty-one men, including commiſſion and non-commiſſion officers, were neceſſary for the ſervice of the year 1694, to be employed in England, and beyond the ſeas: And that the ſum of two millions, five hundred and thirty five thouſand, five hundred and ninety pounds be granted for the maintenance of the land-forces [m]. They alſo gave 118,000 l. to make good the annuity deficiency, and 293,692 l. to make good the deficiency of the poll-bill. Thus the ſupplies, given for the ſervice of the year 1694, amounted to near five millions and a half, which were raiſed by a land-tax of four ſhillings in the pound, by two more lives in the annuities, by a further exciſe on beer, and a duty upon ſalt [n]. 1693. The forces augmented.

[m] Namely, 210,773 l. for the office of ordnance, 31,808 l. for the pay of the general officers; 11,060 l. for levy-money; 40,808 l. for the tranſports; 147,000 l. for hoſpitals and contingencies; and 1,990,781 l. for the pay of the horſe, dragoons, and foot.

[n] For every gallon of foreign ſalt imported, above the former duties 3 d. and of Engliſh ſalt 1 d. The rates upon beer, ale, and other liquors, were one moiety more than had been granted by the laſt additional duties before. This duty upon liquors was now given for ſixteen years; that upon ſalt for three years. The advances of theſe duties were to be repaid in the ſixteen years by way of annuities for that time. A poll-tax was alſo paſſed; and an act for granting ſeveral rates and duties upon tonnage and poundage of ſhips and veſſels, and upon beer, ale, and other liquors. This exciſe to be one moiety of the additional exciſe before granted, and expiring in the year 1697. There was alſo an act for duties upon vellum, parchment, and paper for four years. The ſeveral ſtamps were, 40 s. 5 s. 2 s and 6 d. 1 s. 6 d. and 1 d. every ſheet or ſkin uſed, to be ſo ſtamped, and to pay. Another act was for licenſing and regulating hackney and ſtage coaches. By it ſeven hundred hackney-coaches to be licenſed, and 50 l. to be paid for a licence to be good twenty-one years, beſides 4 l. a year each coach; ſtage-coaches to be licenſed but for one year, and to pay 8 l. for a licence.

1693. The bill for rendering all members of the houſe of commons incapable of places of truſt and profit, which had been brought in the laſt ſeſſion, under the title of a bill for ſecuring free and impartial proceedings in parliament, [illegible] paſſing the commons had been rejected by the lords, was now again ſet on foot, and went through the houſe as well as the commons; ſo that when the [illegible] houſe of peers to paſs the land tax [illegible] royal aſſent, but the king thought [illegible] this, the commons, the next day [illegible] committee on the ſtate of the nation, [illegible] reſolution, "That whoever adviſed the king [illegible] the royal aſſent "to the act, which was to redreſs [illegible] grievance, and take off "a ſcandal upon the proceedings of the commons in parliament, is an enemy to their majeſties and the kingdom; "and that a repreſentation be made to the king to lay before "him, how few inſtances have been in former reigns of "denying the royal aſſent to bills for redreſs of grievances; "and the grief of the commons for his not having given the "royal aſſent to ſeveral public bills, and in particular to "this bill, which tends ſo much to the clearing the reputation of this houſe, after their having ſo freely voted to "ſupply the public occaſions." And, a committee being appointed to draw up the repreſentation, it was the day following reported to the houſe, when the two firſt paragraphs being exactly conformable to the vote, were agreed to, but the third rejected, which was as follows:

The king refuſes to paſs the place-bill. Pr. H. C. II. 432. Jan. 25. Vote and repreſentation upon it.

"We beg, Sir, you will be pleaſed to conſider us as "anſwerable to thoſe we repreſent; and it is from your "goodneſs we muſt expect arguments to ſoften to them, in "ſome meaſure, the neceſſary hardſhips they are forced to "undergo in this preſent conjuncture; and therefore humbly "beſeech your majeſty, for the removing all jealouſies from "your people, (without which the parliament will be unable "to ſerve your majeſty, or to ſupport the government) to "be pleaſed to follow the courſe of the beſt of your predeceſſors, and direct ſome expedient, whereby your majeſty, your parliament, and people, may reap the fruit deſigned by that bill, to which your majeſty, by ill advice, "was pleaſed ſo lately to deny the royal aſſent."

Inſtead of which the following paragraph was agreed to:

"Upon theſe conſiderations we humbly beſeech your majeſty to believe, that none can have ſo great a concern and "intereſt in the proſperity and happineſs of your majeſty "and your government, as your two houſes of parliament;

and

" and do therefore humbly pray, that, for the future, you 1693.
" would be graciouſly pleaſed to hearken to the advice of
" your parliament, and not to the ſecret advices of particu-
" lar perſons, who may have private intereſts of their own,
" ſeparate from the true intereſt of your majeſty and your
" people."

To this addreſs, preſented by the whole houſe, the king was pleaſed to reply:

The king's anſwer to the commons repreſentations.

" Gentlemen, I am very ſenſible of the good offices you
" have expreſſed to me upon many occaſions, and the zeal
" you have ſhewn for your common intereſt; I ſhall make
" uſe of this opportunity to tell you, that no prince ever
" had a higher eſteem for the conſtitution of the Engliſh
" government than myſelf, and that I ſhall ever have a
" great regard for the advice of parliament.

" I am perſuaded, that nothing can ſo much conduce to
" the happineſs and welfare of this kingdom, as an intire
" confidence between the king and people, which I ſhall by
" all means endeavour to preſerve. And, I aſſure you, I
" ſhall look upon ſuch perſons, as my enemies, who ſhall
" adviſe any thing, that may leſſen it."

The matter is dropped.

However kind this anſwer appeared, yet, as it was not thought to be direct, the commons proceeded to take it into conſideration, and the queſtion was put, " That application
" be made to his majeſty for a farther anſwer," but it paſſed in the negative by two hundred and twenty-nine againſt twenty-eight.

The Eaſt-India company obtained a new charter.

The Eaſt-India company having, on the 11th of November, 1693, obtained a new charter, whereby they were empowered to raiſe the ſum of ſeven hundred forty-four thouſand pounds, to be added to their general joint-ſtock, the ſubſcription of each perſon not exceeding ten thouſand pounds; ſeveral merchants and others, on the 7th of December, petitioned the commons for erecting a new Eaſt-India company. Upon which the houſe examined the charters of the old company, the book of new ſubſcriptions, the ſtate of their preſent ſtock, and the petition abovementioned, and after mature deliberation, reſolved, on the 19th of January, " That
" all the ſubjects of England have equal right to trade to
" the Eaſt-Indies, unleſs prohibited by act of parliament." And this gave occaſion to the creating of a new Eaſt-India company, more to the diviſion of the merchants, than to the benefit of trade.

Conings-by and Thomas Porter impeached

On the 16th of December the earl of Bellamont having preſented to the commons articles of impeachment againſt

1693. Thomas lord Coningſby and Sir Charles Porter, two of the late lords juſtices of Ireland, but the commons after ſeveral debates agreed, " That, conſidering the ſtate of affairs in " Ireland at that time, the houſe did not think fit to ground " an impeachment againſt the lord Coningſby and ſir Charles " Porter for the matters charged upon them." Accordingly the lord Coningſby and ſir Charles were reſtored to their places in the houſe.

and cleared.

Project of lotteries. The humour of the nation running [illegible] upon lotteries, ſome members of the houſe of commons contrived to raiſe that way a million for the government. This deſign having been propoſed to and approved by the houſe, it was reſolved, 1. " That a fund of [illegible] per annum be " raiſed and veſted in their majeſties for the term of ſixteen " years, for recompenſing ſuch perſons as ſhould advance " the ſum of one million. 2. That the impoſitions, lately " reſolved by the houſe to be laid upon ſalt, be part of the " ſaid fund. 3. That, towards the further anſwering of the " ſaid 140,000 l. per annum, one moiety of the duties of " exciſe, granted to their majeſties, by an act made in the " ſecond year of their reign, be granted and continued to " their majeſties, after the monies charged upon the ſaid " duties ſhould be ſatisfied. And, 4. that a bill be brought " in upon the ſaid reſolutions." Which was accordingly done, and the bill received the royal aſſent.

Lord Falkland cenſured. Pr. H. C. II. 438.

While the commons were debating of the ſupplies, the commiſſioners, whom they had appointed " for taking the " public accounts," having laid before the houſe an account of what money had been paid for ſecret ſervice, and to members of parliament, out of the public revenue, it was reſolved, " That the lord viſcount Falkland, a member of " that houſe, by begging and receiving two thouſand pounds " from his majeſty, contrary to the ordinary method of " iſſuing and beſtowing the king's money, was guilty of a " high miſdemeanor and breach of truſt; and that he be " committed to the Tower of London, during the pleaſure " of the houſe." He was two days after diſcharged upon petition.

Parliament prorogued. Pr. H. C. II. 445.

The king, being impatient for the diſpatch of what buſineſs lay before the parliament, came to the houſe of peers on the 8th of February, and paſſing ſome bills, made a ſhort ſpeech to both houſes, earneſtly recommending to them the finiſhing of thoſe affairs which they had under their deliberation, and particularly the diſcharging of the debt for tranſport-ſhips, which were uſed in the reduction of Ireland. All

the

the money-bills being paſſed, and the king deſirous of beginning an early campaign, he came again to the houſe of peers on the 25th of April, and cloſed the ſeſſion with this ſpeech: 1693.

" My Lords and Gentlemen,

" THE [illegible] you have given of your affection to me, " and [illegible] you have expreſſed for the government, " oblige me to return you thanks before I put an end to this " ſeſſion; and [illegible] particular, to thank you, gentlemen of " the houſe of commons, for the large ſupplies you have " provided to carry on the war.

" I will endeavour to do my part; and it is from the " bleſſing of God, that we muſt all expect ſuch ſucceſs as " may anſwer our deſires.

" My Lords and Gentlemen,

" The poſture of affairs making it neceſſary for me to be " abſent for ſome time out of this kingdom, I recommend it " to you, that in your ſeveral ſtations you be careful to pre- " ſerve the public peace."

Then the lord-keeper, by his majeſty's command, prorogued the parliament to the 18th of September following.

The moſt material acts paſſed this ſeſſion were:

1. An act for repealing a clauſe in the ſtatute of 34 and 35 of Henry VIII. by which juſtices of the peace in Wales were limited to eight in each county. By this act as many juſtices may be appointed as the king pleaſes. Acts paſſed this ſeſſion.

2. An act to prevent diſputes and controverſies concerning royal mines. By this act, all proprietors of copper, tin, iron, or lead mines, ſhall hold the ſame, notwithſtanding ſuch mines ſhall be claimed to be royal mines. Only the ore of ſuch mines (except tin-ore in Cornwal and Devonſhire) may be demanded by the king, and all claiming royal mines under him, at the following rates: Copper-ore waſhed, 16 l. the tun. Tin-ore waſhed 40 s. the tun. Iron-ore the ſame. Lead-ore waſhed, 9 l. the tun. In default of payment, the proprietors may diſpoſe of the ore.

3. An act for the relief of the orphans and other creditors of the city of London. The city, it ſeems, by reaſon of ſundry accidents and public calamities, being now become indebted to the orphans and other creditors for principal money and intereſt thereof, in a much greater ſum than they were

1693. were able to pay, the parliament, on the petition of the lord mayor, &c. enabled them, by this act, to ſettle a fund for raiſing money, to pay the yearly intereſt at four per cent. for the whole debt. The fund conſiſts of ſeveral branches, particularly, a rent charge of 8000 l. a year, upon all the revenues of the city: 2000 a year upon perſonal eſtates, within the city: 600 l. a year, out of the profits of the convex-lights: 4 d. a chaldron upon coals; 4 s. a tun upon wines, &c. ° This bill had miſcarried in ſeveral ſeſſions, but now found a very quick paſſage, through the commons, the reaſon of which will but too plainly appear in the next ſeſſion of the parliament.

The duke of Norfolk's caſe Kennet.

During the ſeſſion, the town was entertained with the trial of a cauſe in Weſtminſter-hall. The duke of Norfolk, bearing with impatience the ſuſpected commerce, which Mr. Jermaine had maintained with his ducheſs, had the laſt winter lodged a bill of divorce in the houſe of peers; but their lordſhips, being unwilling to proceed in that affair before there were ſome proofs of the facts made in the courſe of the common law, his grace thereupon brought an action of adultery againſt Mr. Jermaine before the court of King's Bench. The cauſe was tried on the 24th of November, and upon a full hearing of many obſcene evidences, the jury found for the plaintiff, and allowed his grace one hundred marks damages, with coſts of court; where the ſlightneſs of the ſatisfaction was almoſt as great a reproach as the crime itſelf.

St. Malo bombarded.

Towards the middle of November, captain Bembow bombarded St. Malo four days ſucceſſively, though without any great ſucceſs, having only deſtroyed ſome few houſes, and thrown down part of the town-wall. But in the end of February arrived the melancholy news, that a fleet of merchant-ſhips under a convoy of men of war, commanded by Sir Francis Wheeler (who had been ſent the laſt year on a fruitleſs expedition to the Weſt-Indies) having failed on the 17th of that month from Gibraltar, up the Streights, met the next day with a moſt violent ſtorm, which continued all that

Admiral Wheeler caſt away. Burcher.

° Beſides theſe bills, ſeveral others were left unfiniſhed, viz. "A bill to regulate trials in "caſes of high-treaſon," which the commons had ſent to the lords for their concurrence; "a bill for the naturalizing of "all ſuch proteſtants, as ſhould "take the oaths to their ma-"jeſties, and the teſt againſt "popery; a bill concerning the "forfeitures both in England "and Ireland; a bill for re-"giſtring of wills, &c. another "againſt ſtock-jobbers, and "another for the encourage-"ment of privateers."

day,

day, and the following night, ſo that on the 19th, about five in the morning, ſir Francis's own ſhip, the Suſſex, was foundered, and himſelf, with all his men, except two Moors, drowned; the Cambridge and Lumley Caſtle men of war, the Serpent bomb-ketch, and the Mary ketch, together with the Italian Merchant, the Aleppo Factor, the Great George, and the Berkſhire, bound for Turky, the William for Venice, and the Golden Merchant for Leghorn, all Engliſh, were driven aſhore on the eaſt-ſide of Gibraltar, and moſt of the men loſt. The ſame fate attended three Dutch ſhips richly laden; but rear-admiral Nevill, with two Dutch men of war, had the good fortune to be blown out of the Streights, and put ſafe into Cadiz; as did the reſt of the fleet on the 19th into Gibraltar. This loſs, how great ſoever, was ſoon after repaired, the king having cauſed the men of war on the ſtocks to be finiſhed with extraordinary diligence [p]. 1693.

[p] December the 31ſt, prince Lewis of Baden arrived at Graveſend, and continued in England till the 14th of February, during which time he concerted meaſures with the king, and was treated with very ſingular reſpects, and at a great expence, not only by the king, but alſo by ſeveral peers, particularly the duke of Ormond.

On the 22d of November, 1693, the king granted to the earl of Abingdon the office of chief juſtice in Eyre on this ſide of Trent, vacant by the death of the lord Lovelace; and appointed the lord viſcount Sidney, maſter of the ordnance, to be colonel of the firſt regiment of foot-guards, in the place of the late duke Schomberg, in whoſe room the duke of St. Albans was ſworn captain of the band of penſioners; and, about the middle of January, the lord Charles Butler, brother to the duke of Ormond, was created lord Butler, baron of Weſton in the county of Huntingdon, and earl of Arran in Ireland. Peregrine Bertie was ſworn vice-chamberlain to his majeſty, upon the reſignation of ſir John Lowther Ruvigny, who had been ſo inſtrumental in the reduction of Ireland, and for his ſervices, created earl of Galway, was, at this time, appointed to command the king's forces in Piedmont, in quality of lieutenant-general, and to be envoy extraordinary to the duke of Savoy. When old Ruvigny his father died, he offered his ſervice to the king, who unwillingly accepted of it; becauſe he knew that an eſtate, which his father had in France, and of which he ſtill had the income, would be immediately confiſcated: But he had no regard to that, and heartily engaged in the king's ſervice, and was afterwards employed in many eminent poſts, in all which he acquitted himſelf with great reputation, and was alſo deemed a man of eminent virtues, great piety and zeal for religion.

When

1693. When the king returned to England, from the laſt campaign, he plainly ſaw the neceſſity of changing both his meaſures and miniſtry. He expreſſed his diſlike of the whole conduct at ſea, and named Ruſſel for the command of the fleet the next year. He diſmiſſed the earl of Nottingham, and would immediately have brought the earl of Shrewſbury into the miniſtry. But, when that lord came to him, he thought the king's inclinations were ſtill the ſame, that they had been for ſome years, and that the turn, which he was now making, was not from choice, but from force; for which reaſon his lordſhip went into the country. However, the king ſoon after ſent for him, and gave him ſuch aſſurances, that he was again made ſecretary of ſtate, to the general ſatisfaction of the whigs. But the perſon, who had the king's confidence to the higheſt degree, was the earl of Sunderland, who, by his long experience and his knowledge of men and things, had gained an aſcendant over him, and had more credit with him, than any Engliſhman ever had. He had brought the king to this change of counſels, by the proſpect he gave him of the ill condition his affairs would be in, if he did not intirely both truſt and ſatisfy thoſe, who, in the preſent conjuncture, were the only party, that both could and would ſupport him. It was ſaid, that, the true ſecret of this change of meaſures was, that the tories ſignified to the king plainly, that they could carry on the war no longer; and that therefore he muſt accept of ſuch a peace, as could be had. This was the moſt pernicious thing that could be thought on, and the moſt contrary to the king's notions and deſigns; but, they being poſitive, he was forced to change hands, and to turn to the other party. So the whigs were now in favour again, and every thing was done, that was like to put them in good humour. The commiſſion of the lieutenancy for the city of London, on which they had ſet their hearts, much more perhaps than it deſerved, was ſo altered, that the whigs were the ſuperior number; and all other commiſſions over England were much changed. They were alſo brought into many places of truſt and profit; ſo that the king put his affairs chiefly into their hands, yet ſo, that no tory who had expreſſed zeal or affection for the government, was turned out.

Alterations in the miniſtry.

Ruſſel made admiral.

Earl of Nottingham diſmiſſed.

Earl of Shrewſbury made ſecretary of ſtate. Mar. 4.

The ſame day the parliament was prorogued, the king beſtowed the title of duke on the earl of Shrewſbury; and created the earl of Mulgrave, marquis of Normanby, with the grant of a penſion of three thouſand a year. He was alſo with the lord Durſley ſworn, on the 3d of May, of the

the privy council. About the ſame time Henry Herbit was made baron Herbert of Cherbury in the county of Salop; Edward Ruſſel, ſir George Rook, and ſir John Houblon were appointed three of the commiſſioners of the admiralty [9]. 1694.

On the 2d of May, Sidney lord Godolphin, ſir Stephen Fox, Charles Montague, ſir William Trumball, and John Smith, were appointed commiſſioners of the treaſury. Mr. Montague, a branch of the earl of Mancheſter's family, had begun, though a young man, to make a great figure in the houſe of commons. He was not only made commiſſioner of the treaſury, but ſoon after chancellor and under-treaſurer of the exchequer. He had great vivacity and clearneſs, both of thought and expreſſion: his ſpirit was at firſt turned to wit and poetry, which he continued ſtill to encourage in others, when he applied himſelf to more important buſineſs. He came to have great notions with relation to all the concerns of the treaſury and of the public funds, and brought thoſe matters into new and better methods: he ſhewed the error of giving money upon remote funds, at a vaſt diſcount, and with great premiums to raiſe loans upon them; which occaſioned a great outcry at the ſums that were given, at the ſame time that they were much ſhrunk before they produced the money that was expected from them. So he preſſed the king to inſiſt on this as a maxim, to have all the money for the ſervice of a year, to be raiſed within that year.

Affairs being thus ſettled at home, the king, on the 6th of May, went to Margate, where he embarked on the Fubbs yatch, and ſet ſail about eleven, with a fair wind for Holland, being attended by eight Dutch men of war, which came from the Downs. He landed the next day at the Hoek of Holland, and came about midnight to the Hague, and next morning went firſt into the aſſembly of the ſtates of Holland, and afterwards into that of the ſtates general, and made a ſhort ſpeech in each of them, and received their compliments on his ſafe arrival; and after a few days went to Loo, to take the diverſions of that place, till matters were ripe for his going to the army. The king goes abroad.

[9] On the 30th of April, the marquis of Caermarthen was created duke of Leeds: William earl of Bedford, marquis of Taviſtock and duke of Bedford; William earl of Devonſhire, marquis of Hartington and duke of Devonſhire; John earl of Clare, marquis of Clare and duke of Newcaſtle; Francis lord Newport treaſurer of their majeſties houſhold, earl of Bradford in the county of Salop; and lord viſcount Sydney lord warden of the cinque ports, earl of Romney in the county of Kent.

About

1694. About this time a draught of a commiſſion for taking ſubſcriptions for the bank of England, together with a ſchedule containing the draught of a charter for the corporation of the bank, were firſt approved and ſigned by her majeſty on the 8th of June; and the charter, which was to paſs under the great ſeal of England, after the 1ſt day of August, if the ſum of one million two hundred thouſand pounds, or one moiety or more thereof, ſhould be ſubſcribed by that time, or ſooner, if the whole one million two hundred thouſand pounds ſhould be ſooner ſubſcribed, was accordingly granted towards the middle of July, the commiſſioners having taken ſubſcriptions amounting to that ſum by the 5th of that month. The conſtituting of the bank occaſioned great debates: ſome thought a bank would grow to be a monopoly; all the money of England would come into their hands, and they would in a few years become the maſters of the ſtock and wealth of the nation. Others argued for it: that the credit it would have, muſt increaſe trade and the circulation of money, at leaſt in bank notes. It was viſible that all the enemies of the government ſet themſelves againſt it with ſuch a vehemence of zeal, that this alone convinced all people, that they ſaw the ſtrength that our affairs would receive from it. The Dutch often reckon up the great advantages they had from their banks; and they concluded, that as long as England continued jealous of the government, a bank could never be ſettled among us, nor gain credit enough to ſupport itſelf: and upon that they judged that the ſuperiority in trade muſt ſtill lie on their ſide. This, with all the other remote funds that were created, had another good effect: it engaged all thoſe who were concerned in them, to be, upon the account of their own intereſt, zealous for maintaining the government; ſince it was not to be doubted, but that a revolution would have ſwept all theſe away. The advantage that the king, and all concerned in tallies, had from the bank, were ſoon ſo ſenſibly felt, that all people ſaw into the ſecret reaſons that made the enemies of the conſtitution ſet themſelves with ſo much earneſtneſs againſt it.

A bank erected. Burnet.

Affairs at ſea. Burchet. Boyer. Burnet. The confederate fleet was out early this year; but yet they were neither able to block up that of France in Breſt, nor to fight them at ſea, than which the Engliſh deſired nothing more. The French, on the contrary, induſtriouſly avoided an engagement, and were no ſooner out of the harbour but they made all the ſail they could towards the Mediterranean, having formed great deſigns againſt Spain, both by ſea and land, this campaign. In order to break their meaſures, and prevent the entire loſs of Catalonia, the king thought

Ruſſel ſent to the Mediterranean.

thought fit to ſend his fleet into thoſe ſeas; but, before admiral Ruſſel left the coaſt of France, being informed that there was a fleet of French merchantmen in Bertram-bay, bound to the eaſtward, he detached captain Pickard and the Roebuck fire-ſhip either to take or deſtroy them. Theſe orders captain Pickard executed with ſo good ſucceſs, that, of fifty-five ſail, he burnt or ſunk thirty-five, and drove the man of war, that was their convoy, among the rocks, where ſhe ſoon after blew up, with her two ſloops of between ten and fifteen guns. 1694. A fleet of French merchantmen deſtroyed.

The ſame good fortune did not attend the deſign which the Engliſh and Dutch had been long concerting, to deſtroy the harbour of Breſt; the execution of which deſperate attempt was committed to lieutenant-general Talmaſh. On the 5th of June, the lord Berkeley, admiral of the blue ſquadron, parted from admiral Ruſſel with twenty-nine men of war of the line of battle, Engliſh and Dutch, beſides ſmall frigates, fire-ſhips, bomb-ketches, and tranſport-ſhips; the 7th he came to an anchor between Bertram-bay and Camaret (a ſmall neck of land in the mouth of the river of Breſt) notwithſtanding the enemies bombs from Camaret weſtern point, from a caſtle on a high rock in Bertram-bay, and from two forts on each ſide of the Iſthmus, going into Breſt road. The deſign againſt Breſt unſucceſsful.

The ſame day the lord Cutts and the marquis of Caermarthen, in his own galley, ſtood in a conſiderable way into the bay, and, having taken a view of it amidſt the enemies fire, they returned, and gave the lord Berkeley an account of the poſture of the bay and the ſituation of the caſtle, which they found very advantageous to defend the landing-places[r]. Upon

[r] Biſhop Burnet ſays, that when our fleet came ſo near as to ſee what preparations were made for the defence of the place, the council of officers were all againſt making the attempt; but that general Talmaſh had ſet his heart ſo much upon it, that he could not be diverted from it. He fancied, that the men they ſaw were only a rabble brought together to make a ſhew, though it appeared very evidently that there were regular bodies among them, and that their numbers were double to his. Burnet, ii. 130.

The famous engineer Vauban, whom the king of France had employed to put Breſt and the places in the harbour which were likely to be attacked, in a poſture of defence, wrote to that king, before the Engliſh fleet arrived, "That his majeſty needed to be under no apprehenſions; that he had made all the ſubterraneous paſſages under the caſtle bomb-proof: that he had placed ninety mortars

1694. on this, it was thought adviſeable that the Monk, a ſhip of ſixty guns, and the Diameten, a Dutch ſhip of equal force, ſhould go in; but the marquis of Caermarthen, not believing that thoſe two men of war would be ſufficient to cover the boats at their landing, nor to aſſiſt their land-forces by playing upon the enemy, who were better prepared and more numerous than was expected, and was ready to be ſeconded on all occaſions by fourteen ſquadrons of horſe. Therefore on the 8th, after a conſultation of the Engliſh and Dutch flags and the general officers of the land-forces, it was reſolved that ſix other men of war ſhould be added to the two former [a], which the marquis undertook to paſs ſo near as to bear upon the caſtle to the beſt advantage, and to perform thoſe other ſervices for which they were deſigned. This was a work of great difficulty and danger, for no ſooner was the Monk come within reach of the enemies mortars, but they began to play at her from the point des Filettes, and the weſtern point of Camaret. As ſoon as the reſt of the ſhips were got into the bay, they were ſurprized with three batteries more, which they never perceived till they felt their ſhot. But, notwithſtanding all theſe difficulties, the marquis poſted the ſhips in ſuch a manner, as gave great aſſiſtance to the land-forces, and did the enemy conſiderable miſchief; for theſe ſhips, as ſoon as they had dropped their anchors in the bay, fired continually upon the French, and forced them to run twice out of Camaret fort.

On the other hand, Talmaſh, with a ſmall number of well-boats, and about nine-hundred men, went aſhore in a confuſed manner, under a little rock, on the ſouth ſide of a ſmall bay: whereupon a detachment of the French marines charged the Engliſh ſo vigorouſly, that they were forced to retire to their boats in great diſorder: it happening at the ſame time to be the tide of ebb, moſt of thoſe boats ſtuck faſt, ſo that the men were either miſerably ſlaughtered, or obliged to beg for quarter. The reſt of the boats retreated under the protection of the men of war, which, with incredible labour and ha-

" tars and three hundred pieces " of cannon in proper places: " that all the ſhips were out of " the reach of the enemy's " bombs, and all the troops in " good order: that there were " three hundred bombardeers in " the place, three hundred gen- " tlemen, four thouſand men, " regular troops, and a regiment " of dragoons juſt arrived."

[a] Namely, the Greenwich of fifty-four, the Charles-galley of thirty-two, the Shoreham of thirty-two, the Darkenſteyn of forty-four, the Weſep of thirty, and the Wolf of thirty guns.

zard,

zard, the [illegible] of Caermarthen brought off, except the Wo[illegible] [illegible]h man of war. Of the land-forces [illegible] taken prisoners, and as many killed o[illegible] [illegible]nd as for the loss sustained at sea, four [illegible] were lost in the three English and four Dutch [illegible] marquis's command. This expedition, which [illegible] Talmash his life [t], could not but prove unsuccessful, the French having had time to provide themselves against it, the design having been the town-talk in London some months before it was put in execution [u].

1694.

To

[t] He was shot in the thigh, of which wound he died a few days after, and was much lamented; for he was a brave and generous man, a good officer, and very fit to animate and encourage inferior officers and soldiers. "But he was much too "apt to be discontented, and to "turn mutinous; so that upon "the whole, he was one of those "dangerous men that are capable of doing as much mischief as good service." A little before his death, he is reported to have said, that as he lost his life in the performance of his duty to so good a prince, he was perfectly easy as to that point; but that it was a great trouble to him that the government had been so basely betrayed. It is said he knew who were the traitors, and named to a person, who stood at his bedside, that he might discover them to queen Mary, in the king's absence, that she might be on her guard against those pernicious counsellors, who had retarded the descent and given the French time to be prepared for it. Oldm. p. 92.

[u] Father Daniel says, that the lord Berkeley came into the bay of Camaret with a squadron of six and fifty men of war, bombs, and other vessels. General Talmash made a descent at the head of a battalion of grenadiers and between eight and nine hundred men, which were landed by a great number of shallops. A brisk fire ensued, as well from the English on one side, as from the French batteries and entrenchments on land on the other. The sieur de Benoise, captain of a French company of marines, observing that there was some confusion among the English troops, sallied out sword in hand, at the head of sixty men, being immediately followed by another company: he defeated the enemy, killed a great number of their men, and pursued them to their shallops; into which they threw themselves in such numbers, that they could by no means get them off. Upon this the count de Servon marshal de camp, the sieurs de Vaise brigadier of foot, and du Plessis brigadier of horse, marched a squadron of the regiment of du Plessis up to the shore, which soon obliged the English in the boats which were stranded, to demand quarter: the others which had not yet made their defence, retreated under favour of the cannon of their ships. A Dutch vessel, which ventured too near

1694. To revenge this affront, lord Berkeley ſailed towards Dieppe, and on the 12th of July threw one thouſand one hundred bombs and carcaſſes into the town, which ſet it on fire in ſeveral places. The townſmen, deſpairing to quench the flames, began to run away in great conſternation; whereupon two regiments of the militia of Bretagne were ſent to encourage them, but the diſorder was ſo great, and the fire ſo dreadful, that the ſoldiers themſelves fled with the reſt. If the Engliſh had known what had paſſed, they might in all probability have poſſeſſed themſelves of the place: however, they ſo ruined it, that the greateſt part of the houſes were reduced to aſhes, and ſcarce any left unſhattered.

Dieppe bombarded,

From Dieppe, the fleet, alarming all the coaſt of France, ſailed towards Havre de Grace; and on the 16th of July began to bombard the town, under the direction of captain Bembow, which they continued to do till the next morning, when, the wind blowing hard, they gave over. The 18th, towards the evening, the weather being calm, the following night was ſpent in throwing in two hundred and fifty bombs more into the town; but the wind growing high, the bomb-ketches ſtood off again; and on the 24th the lord Berkeley ſailed from Havre de Grace, leaving it conſiderably damaged.

and Havre de Grace,

Dunkirk was the place of the greateſt importance, for which reaſon that attempt was purſued in ſeveral ways, but none of them ſucceeded. Theſe bombardings of the French towns ſoon ſpread a terror among all that lived near the coaſt; batteries were every where raiſed, and the people were brought out to defend their country: but they could do the Engliſh no hurt, while their bombs at a mile's diſtance did great execution. The action ſeemed inhuman; but the French, who

and Dunkirk.

near the ſhore, ran a-ground, and was obliged to ſurrender. The Engliſh loſt four hundred men in the deſcent, among whom was their general Talmaſh, and forty officers with five ſoldiers made priſoners: many more were drowned; and, a bomb happening to fall into a bomb-veſſel full of ſoldiers, it blew up with all that were in it. This enterprize coſt the Engliſh and Dutch two thouſand men. They burnt one of their veſſels in the night, and another of ſixty pieces of cannon was run a-ground. The French on the contrary had no more than five and forty ſlain. Monſieur Vauban, who commanded at Breſt, had taken all his precautions with an admirable ſkill, as well with regard to the batteries as the intrenchments, in which was placed a battalion of marines, with ſome other ſoldiers, under the command of the marquis de Langeron.

had

had bombarded Genoa without a previous declaration of war, and who had ſo often put whole countries under military execution, even after they had paid the contributions which had been laid on them (for which they had protection given them), had no reaſon to complain of this way of carrying on the war, which they themſelves had firſt begun. 1694.

The death of the biſhop and prince of Liege, towards the beginning of this year, gave the French a fair proſpect of embroiling the affairs of the confederates on that ſide. For as the death of the elector of Cologne in 1688, had divided the empire and France on account of the two candidates, prince Clement of Bavaria on the one ſide, and cardinal Furſtemberg on the other, and kindled the war, which ſoon after ſpread itſelf over the face of almoſt all Europe; ſo, if the French could have got the cardinal of Bouillon to have been advanced to the principality of Liege, they had great hopes at leaſt to humble the allies ſo far as to make them accept the conditions of peace, which the French king had already offered them. But, notwithſtanding the private endeavours of the French faction, and the cardinal of Bouillon's open proteſtations, the major part of the chapter of Liege made choice of the elector of Cologne, and the reſt of the grand maſter of the Teutonic order, to be their prince and biſhop; both which ſent to the emperor and court of Rome to have their reſpective election confirmed. This double return was like to be attended with fatal conſequences; for as the grand maſter of the Teutonic order was no leſs than brother-in-law to the emperor, who in all probability would have eſpouſed his cauſe; ſo his competitor was brother to the elector of Bavaria, whoſe intereſt was ſupported by that of his Britannic majeſty and of the ſtates of Holland. Whilſt both parties impatiently expected the deciſion of the ſee of Rome, the conteſt was determined by the death of the grand maſter, who was carried off by a contagious diſtemper then reigning in the city of Liege; ſo that the elector of Cologne, in ſome time after, obtained the peaceful poſſeſſion of that biſhopric and principality; which, together with the great power of the allies in Flanders this campaign, made things look with an ill aſpect on the affairs of France.

Death of the biſhop of Liege.

Elector of Cologne choſe in his room.

The confederate army, under the king's command, was encamped at Mont St. Andre, conſiſting of thirty one thouſand horſe and dragoons, and fifty-one thouſand foot, all as good troops as ever had been in the field, beſides a body of about ſeven thouſand men under count Tilly, near Ghent. The French were not much inferior in number; but the

Campaign in Flanders Kennet. Burnet. Aug. 9. N. S.

1694. dauphin, who commanded in perſon, de[illegible] received orders from his father not to [illegible] Huy, as long as the confederat[illegible] Andre: however, not being [illegible] he reſolved at laſt to decamp, [illegible] concealed his deſign by ſending [illegible] horſe, under pretence of foraging, [illegible] of Harcourt's body (on the other ſide [illegible] to ſeize the advantageous poſt of Pieton; yet the king, who
Aug. 15. was apprehenſive of it, decamped before him and ſoon gained the poſt of Pieton, where there was not forage for above four days; and, being informed of the enemy's march, he moved towards Nivelle, thence to Leſſines, having before ſent orders for baking bread at Ghent and Aeth. When the army came
Aug. 24. to Chieire, the elector of Bavaria was detached with a conſiderable body of horſe and foot, and ſome pieces of cannon, to poſſeſs himſelf of a poſt upon the Scheld; and the army followed, with an intention to have paſſed the river at Pont Eſperies. But, though the confederates made great expedition to get thither, yet the French made more to prevent them; for, the elector having advanced towards Pont d'Eſcahuffe, in order to force the paſſage of the river, he found the French, to the number of thirty thouſand, ſo well intrenched on the other ſide, that he did not think it prudent to purſue his enterprize. By this haſty march the French cavalry ſuffered much; but that loſs was inconſiderable in compariſon of the advantage which they gained by hindering the allies from penetrating into French Flanders, where, conſidering their ſtrength, they would in all probability have made ſome important conqueſt, or at leaſt ſecured winter-quarters.

The French king's letter to his army.

The king of France was ſo ſenſible of it, that he wrote a letter, which he ordered to be read at the head of the army, wherein he returned thanks, in the firſt place to the princes of the blood; next to marſhal Luxemburg, as having a principal ſhare in the conduct; then to the reſt of the marſhals of France, and all the general officers; and laſtly to all the French and Swiſs infantry, regiment by regiment, acknowledging how much he was obliged to their zeal and incredible diligence.

Huy taken. Kennet. Burnet.

Whilſt the French were deeply intrenched near Courtray, from whence they had ſent ſtrong detachments to cover Ypres, Menin, Berg St. Winox, Furnes, and Dunkirk, the king, finding it impoſſible to attempt any thing on that ſide, reſolved to lay hold on this occaſion to diſpoſſeſs the enemy of the town and caſtle of Huy. In purſuance of this deſign, prince

Tſerclaes

passed the Maese, and invested the place 1694.
and dragoons of the bishopric of Liege, a
horse, and some battalions of foot.
seventeen regiments of foot with the duke
of [illegible] whom the king appointed to command the
siege, and as soon as approach the town immediately surrendered. By the 24th of September, the batteries were raised against the castle; and, all things being ready for an assault by the 27th, the French governor beat a parley, and surrendered that fortress the next day. By this conquest the French were totally expelled out of the bishopric of Liege, Dinant at that time being a part of France. Thus ended the campaign in Flanders. But the confederates, especially the English and Dutch, grew weary of keeping vast armies, which did nothing else than lay for some months advantageously posted in view of the enemy, without any action.

The French, under the command of marshal *Noailles*, made a better figure in Catalonia; for, being near thirty thousand strong, and much superior to the Spaniards, they arrived on the 26th of May on the banks of the river Ter, which they resolved to pass, notwithstanding they found the Spaniards intrenched on the other side. Accordingly, having sounded all the fords that same evening, they forced their way thro'; and, after half an hour's dispute, constrained the Spanish foot to abandon their retrenchments. The Spanish cavalry shewed a more than ordinary valour and conduct in covering the foot, and at last made their own retreat without any great loss, except that of their baggage, the French not thinking it safe to pursue them, because of the narrowness of the ways. However, the marshal de Noailles improved this advantage by laying siege to Palamos, a town by the sea-side, about twenty-two leagues from Barcelona, to the south-east. On the 30th of May the place was invested; and, on the 7th of June all things were in a readiness to storm the covered way. This the French grenadiers performed with great resolution, entered the town at two narrow breaches, plundered it, and put all they met to the sword. Of those who were saved, all were made prisoners of war; only some of the officers, who were most wounded, were sent to Gironne upon their parole; "Notonly (said the French general, in his letter to the king his master) because they seemed to desire it, "but because he considered the terror that it would strike "among the soldiers and people." Marshal Noailles judged rightly of the matter, for the Spaniards immediately withdrew their garrison out of St. Felix Quinola and the castle of St. Elome;

In Catalonia.

Palamos taken.

1694. Elome; and, though they pretended to make a ſtout reſiſtance at Gironne, a well fortified town, which the French had beſieged by the 19th of June, yet they ſurrendered it in ten days upon very ignominious terms. From Gironne the French advanced to Oſtalric, a little town upon the road to Barcelona, which they quickly carried without any great reſiſtance, and thereby enlarged their territories twenty miles in extent. But the army, becauſe of the exceſſive heats, beginning now to be ſickly, Noailles put them into quarters of refreſhment upon the fertile banks of the river Terdera, where they lived as undiſturbed from the Spaniards as if they had been in the middle of France. After they had ſufficiently refreſhed themſelves, they formed a deſign upon Caſtle Folet, a town a little to the weſt of Gironne, which they took, having routed a body of country militia that came to relieve it, and made the garriſon priſoners of war.

Gironne ſurrenders

Oſtalric taken,

and Folet.

Whilſt the French were buſy on this ſide, the Spaniards thought to improve this opportunity by retaking Oſtalric, which they actually beſieged, and had carried their point ſo far, that the governor was upon articles of ſurrender, and hoſtages were already exchanged; but the Spaniards inſiſting that the miquelets ſhould be made priſoners of war, the governor in the mean time had notice that Noailles was marching to his relief; where upon he redemanded his hoſtages, and refuſed to ſtand to the articles, ſo that the ſiege was immediately raiſed.

The French threaten Barcelona

Fluſhed with theſe ſucceſſes, the French threatened no leſs than the beſieging of Barcelona, the capital of Catalonia, and the only fortified town of that province in the hands of the Spaniards. The court of Madrid felt their weakneſs and ſaw their danger ſo viſibly, that they were forced to implore the protection of the Engliſh fleet. The French had carried the beſt part of their naval force into the Mediterranean, and had reſolved to attack Barcelona both by ſea and land at the ſame time; and, upon their ſucceſs there, to have gone round Spain, deſtroying the coaſt every where. All this was intended to force the Spaniards to accept the offers which the French were willing to give them. But, to prevent this, admiral Ruſſel was ordered to ſail into the Mediterranean with a fleet of threeſcore great ſhips. He was ſo long ſtopped in his voyage by contrary winds, that the French, if they had purſued their advantages, might have finiſhed the conqueſt of Catalonia. But, as they were reſolved not to hazard their fleet, it was brought back to Toulon long before admiral Ruſſel could get into the Mediterranean, which was now entirely left

Ruſſel comes with a fleet into the Mediterr nean. Burnet.

to

to him. However, it was thought that the French intended 1694.
to make a ſecond attempt in the end of the year, as ſoon as he ſhould ſail back to England; for which reaſon it was propoſed, that he might lie at Cadiz all the winter. This was an affair of ſuch importance, that it was long and much debated, before it was reſolved on. It was thought a dangerous thing to expoſe the beſt part of our fleet, ſo much as it muſt be, while it lay at ſo great a diſtance from us, that convoys of ſtores and proviſions might eaſily be intercepted. And indeed the ſhips were ſo low in their proviſions, when they came back to Cadiz (the veſſels that were ordered to carry them, having been ſtopped four months in the channel by contrary winds) that our fleet had not then above a fortnight's victuals on board. Yet, when the whole matter was thoroughly canvaſſed, it was agreed, that our ſhips might both lie ſafe, and be well careened at Cadiz. Nor was the difference in the expence, between their lying there, and in our own ports, conſiderable. By their lying there, the French were ſhut up in the Mediterranean; ſo that the ocean and their coaſts were left open to us. They were in effect ſhut up within Thoulon; for they, having no other port in thoſe ſeas but that, reſolved not to venture abroad; ſo that now we were maſters of the ſeas every where. Theſe conſiderations determined the king to ſend orders to admiral Ruſſel, to lie all the winter at Cadiz; which produced very good effects. The Venetians and the grand duke of Tuſcany had not thought fit to own the king till then. A great fleet of ſtores and ammunition, with all other proviſions for the next campaign, came ſafe to Cadiz; and ſome clean men of war were ſent out in exchange for others, which were ordered home [a].

Little was done in Piedmont this ſummer: for though the duke of Savoy openly rejected the propoſals made to him from France, after his defeat at Marſaglia, yet a ſecret negotiation was carried on, which rendered him very unactive, and the French careleſs on that ſide. And when it was expected that the confederate army would form the ſiege of Caſale (the ſucceſs of which enterprize was as little doubted of) they contented themſelves with the taking the fort of St. George, In Piedmont.

[a] While the fleet lay at Cadiz, captain Killegrew was ſent out with ſix men of war to execute certain orders, and meeting by the way with two ſtout French men of war called the Trident and the Content, they were both taken, but Killegrew loſt his life in the engagement. Burchet, 816.

1694. whereby that place was more closely [illegible] it worth the while to mention [illegible] the Vaudois in the valley of P[illegible] Iriſh detachments ſent againſt them [illegible] tin; or their faint irruption into Da[illegible]

On the Rhine.

The imperialiſts, headed by prince L[illegible] incamped near Hailbron, marſhal de Lo[illegible] French army under his command, adventured to [illegible] Rhine, and to march towards them in order of battle. The prince believing the enemy had a mind to fight, went on to meet them. But, the French finding him ſo reſolute, retreated towards Wiſelock, paſſed the Neckar, burnt the town of Laudenburg, and ruined the flat country. This ſo incenſed the prince of Baden, that, though he was not yet reinforced by the Saxons, he advanced to Wiſelock, an advantageous poſt, of which he poſſeſſed himſelf, after a ſharp rencounter with the enemy, wherein the French loſt three hundred men, and the Germans about half that number. Upon this de Lorge repaſſed the Rhine, and for ſome time the two armies only obſerved one another. At length the prince of Baden, impatient of action, croſſed the Rhine in his turn; of which the French general was no ſooner informed, but he marched towards Landau. On the other hand, the prince advanced and made himſelf maſter of ſeveral ſmall places, and of all the paſſes as far as Croon Weſemburg; and it was confidently expected that now the Germans would either force the French to a battle, or ſecure winter-quarters on that ſide of the Rhine. But neither of theſe happened; for in a few days the imperialiſts repaſſed the Rhine, bringing away with them fourteen thouſand head of cattle; and having deſtroyed a great quantity of forage in the country, and ſome magazines of the French; which put an end to the campaign in Germany.

Attempts for a peace. Burnet.

The campaign ended every where to the advantage of the confederates, though no ſignal ſucceſſes had happened to their arms. At the concluſion of it, the court of France flattered their people with hopes of a ſpeedy end of the war. And ſome men of great conſideration were ſent to try, what terms they could bring the empire or the ſtates-general to. But the French were yet far from offering conditions, upon which a juſt or a ſafe peace could be treated of [b]. The ſtates ſent ſome perſons as far as Maeſtricht, to ſee what powers thoſe ſent

[b] In this year, 1694, was publiſhed a piece entitled, Reflections upon the Conditions of Peace offered by France; and the

[illegible] brought with them, before they would 1694.
[illegible] that they deſired. And when they ſaw
[illegible] were, the negotiation was ſoon at an end;
or

the me[illegible] for procuring [illegible] the author begins with obſerving, that "ſince perſons who are poſſeſſed with too great opinion "of the power of France, and "are ignorant of the reaſons "that oblige that crown to wiſh "to ſee an end of the war, "might be apt to imagine, that "the conditions of peace, which "were propoſed in Sweden by "the count d'Avaux, ought not "to have been ſo diſdainfully "rejected, it might not be amiſs "to ſhew, how captious and unjuſt thoſe conditions were, and "how neceſſary it was to look "upon them as a ſnare, which "we ought to be very cautious "of falling into; ſince it was "certain, that they would have "left France in a condition to "break the treaty, which it "would make with the allies, "upon the firſt favourable occaſion, that ſhould preſent itſelf; and it could not be "doubted, but that our enemies would be ready to renew "the war, after the term of "ſome few years, and to puſh "on their arms with ſo much "the more fury, as they ſhould "then find fewer obſtacles to "their deſigns; if they were "not reduced to ſuch reſtitution, as ſhould give us ſecurity, that they would not "dare again to violate their "words." He then demonſtrates from a ſeries of facts the unmeaſurable ambition of France; and ſhews the neceſſity of humbling that kingdom. He remarks, that no ſecurity had been offered by it to the allies; and that it was the intereſt of England and Holland to reeſtabliſh a good barrier in Flanders and Brabant. "It is a truth, "ſays he," of which none can "doubt, that the conqueſt of "the Low-countries would put "France into a condition of "giving laws to all Europe; "and it is another truth, that is "no leſs evident, that nothing "can hinder the French from "making this conqueſt upon "the firſt occaſion, if we accept of the conditions of "peace, which they now offer "us. The greateſt of our intereſts then is here concerned, "leſt, France being in poſſeſſion of the ports of the Spaniſh Netherlands, and keeping the Hollanders in ſlavery, "or at leaſt in an indiſpenſible "neceſſity of remaining in a "good union with that crown, "the French would become abſolute maſters of our commerce; leſt they ſhould oppreſs Germany, Spain, and "Italy; whilſt we being ſhut "up in our iſland, and out of "all communication with the "continent, ſhould be ſpectators of that revolution, without being able to hinder it. "It is viſible therefore, that the "ſafety of England depends "upon the preſervation of the "Low-countries. But what ſhall "we ſay of the glory of the nation? It is certain, that, if "we procure an advantageous "peace for the allies, by continuing the war with the "ſame vigour, that we have

"ſhewn

1694. or rather, it never began. When the French ſaw this, they diſowned their having ſent any on ſuch an errand, and pretended, that this was only an artifice of the confederates to keep one another and their people in heart, by making them be-

" ſhewn hitherto, England will
" have the honour of having
" ſaved Europe from chains,
" and will remain the arbiter of
" its deſtiny.

" It is the general intereſt of
" all Chriſtendom to re-ſettle
" the houſe of Auſtria in a ſort
" of equality with France. This
" equilibrium is neceſſary for
" the ſecurity of the people,
" and even for that of the ſove-
" reigns too. But it is the par-
" ticular intereſt of England to
" re-eſtabliſh this equality, that
" ſhe may have the balance in
" her hand, and turn it to which
" ſide ſhe pleaſes. This is the
" only means we can make uſe
" of, not only to maintain the
" empire of the ſea, which we
" have regained the poſſeſſion
" of in ſo glorious a manner,
" but even to enable us to de-
" cide the ſucceſs of wars, and
" the conditions of treaties for
" the future. The nation be-
" gins already to recover in
" Europe the rank which ſhe
" ought to hold. Our fleets are
" miſtreſſes of the two ſeas;
" the ſecurity of our commerce
" is perfectly re-eſtabliſhed; we
" have ſeen the French reduced
" to a neceſſity of letting their
" maritime towns in the ocean
" be burnt, while their fleet is
" ſhut up, and as it were im-
" priſoned in part of the Medi-
" terranean, to avoid ſhe being
" attacked by ours. We have
" begun to ſtop the progreſs of
" their arms in the Low coun-
" tries; and the taking of Huy
" is not of ſo little importance,
" but that it opens a way to
" greater conqueſts, in giving
" us an opportunity to draw off
" a great part of our garriſons
" from Liege and Maeſtricht.
" Beſides, we may without flat-
" tery ſay, that we have a nu-
" merous army upon the Rhine,
" and may expect great things
" from that prince that com-
" mands it. The duke of Sa-
" voy will be able to make a
" more conſiderable diverſion
" on that ſide, than he hath
" hitherto done, becauſe he will
" act in concert with our fleet.
" And it is to be hoped, that the
" Turks, diſcouraged by their
" loſſes, and being convinced
" that France will ſacrifice
" them, will at length, by mak-
" ing an accommodation with
" the emperor, prevent the
" danger they would be in, if
" they ſhould be the laſt in
" making a peace. Add to all
" this, the extremity to which
" France finds herſelf now re-
" duced: they are forced to
" abandon to us the two ſeas;
" they are under an impoſſibi-
" lity of augmenting their forces
" by land; their commerce is
" abſolutely ruined; their ſub-
" jects diſcontented, and their
" troops ill paid. In a word,
" if the allies will but make the
" beſt of this conjuncture, it
" ſeems the moſt certain, that
" they muſt quickly obtain rea-
" ſonable conditions of peace,
" and

believes, that they had now only a ſmall remnant of the war before them, ſince the French had inſtruments every where at work, to ſollicit peace. 1694.

During

" and that Europe may thereby " enjoy a ſolid and durable re- " poſe."

About the ſame time was publiſhed likewiſe another piece intitled, The Engliſhman's choice and true intereſt in a vigorous proſecution of the war againſt France, and ſerving King William and Queen Mary, and acknowledging their right. The author begins with animadverting upon thoſe, who murmured againſt the taxes and the war; and complains, that the king had been too good to his enemies, whoſe falſe pretences in oppoſing his majeſty he expoſes. He then conſiders the ſtate of the war, and obſerves, that there were ſome, who repreſented, that " our navy might " guard our coaſts againſt inva- " ſions; or our militia, and " other forces at home, might " be enough to preſerve us, if " the enemies land. But theſe " men, " ſays he," cannot but " own, that it is much better " for England to be at charges " in keeping the enemy at a " diſtance, than to be the ſeat " of war; and that if any of " thoſe allies, whom they un- " dervalue, joined with France, " it were ſuch an acceſſion to " its power, as the French party " here would be very glad of; " nor is there any one of them, " who would not in ſuch a caſe " be as much magnified by that " party, as now they are leſſen- " ed. But it is evident, that if " the French ſhould ſwallow " Flanders, (which they had " certainly done before now, if " it had not been for the confe- " deracy) Holland, which has " lately ſet us ſo good an ex- " ample ſince the battle of Lan- " den, muſt neceſſarily truckle, " and their navy be at the com- " mand of France. And how " could we expect a fleet able " to ſecure us againſt both, " when hitherto we and Hol- " land in conjunction have done " ſo little againſt the naval " force of France, excepting " that memorable time, when " admiral Ruſſel (whoſe victo- " ry was by ſome men held a " crime) to his eternal honour " and glory, ſo well maintained " the reputation of the Engliſh " nation. If France had no " enemy but England, and were " at liberty to employ againſt it " all their armies in Flanders, " upon the Rhine, in Piedmont, " in Catalonia, and in their gar- " riſons, (which together a- " mount to near four-hundred " thouſand men) while ſo many " here ſhew themſelves ready " to declare for them; what " could England hope for, but " to be a field of blood? And " how could we think, that the " French ſwords would be " ſheathed, while there were " one proteſtant remaining? " Nay, when we conſider, how " barbarouſly they uſe the peo- " ple, whom they ſubdue, tho' " of their own religion, with- " out regard to religious houſes " or churches, or the ſepulchres " of princes, we may believe " that the Engliſh papiſts would " find

1694. During the king's abſence there w… England, but the eminent prudence … ing the peace of the nation; though … duſtrious and implacable in their plot…

The queen's great prudence. Kennet.

Colonel Parker had been committed … treaſon, and a bill of indictment … Trinity term; but on Saturday, Augu… tagem he made his eſcape in the night, and hea… ice;

" find little better quarter than " others. They, who have had " ſuch fatal proofs of the Eng- " liſh valour and enmity to them, " would take care never more " to be in fear of their antient " enemies; nor is it to be " thought, that any thing leſs " than our total extirpation " would ſatisfy them." The author then juſtifies the preſent ſettlement, expoſes the abſurd conduct of thoſe proteſtants, who were enemies to the government; ſhews, that the jacobites were more inexcuſable than the papiſts, and obſerves, that the " former magnified the power " of France, and the advantage " of its way of government to " make war, or command peace, " and mightily leſſened and re- " proached the confederates; " and that chiefly under a po- " pular maſk of zeal againſt " leagues with popiſh princes; " which they, good men! are ſo " far from, that they are for " ſubmitting to the worſt of " them without terms. They " inſinuate, " continues he," as " if England bears the charge " of a needleſs war, to main- " tain the dominion of a foreign " prince; not conſidering, that " the Dutch alone have in their " pay one hundred and ſix thou- " ſand, five hundred and forty " men, beſides their allowing " twenty-five thouſand gilders a " month towards carrying on " the war in Piedmont; and " are ſo far from being diſcou- " raged by the late misfortunes " from a vigorous proſecution " of the war, that they have " added fifteen thouſand to their " former land-forces, beſides " increaſing their navy. And it is " a known maxim that the pre- " ſervation of Flanders is more " for the intereſt of England " than of Spain. If Flanders " be an acceſſion to France, " Holland muſt ſoon follow, " and England next. The im- " portance of Flanders is ſuffi- " ciently confeſſed by theſe gen- " tlemen, when they would " have others believe there is a " neceſſity of our truckling " to France, upon the taking " of a town or two. And yet " they are for giving it all up. " But any man, who has ſeen " the noble towns and large " country yet remaining, would " think it very well worth the " preſerving. Antwerp itſelf, if " it were in the French hands, " would command the trade of " Chriſtendom." He next refutes the inſinuations of the jacobites againſt the French proteſtants in England, and againſt the Dutch; and takes notice of their inſolence towards the king; whom they repreſented as no friend to the Engliſh nation.

and

and though there was a proclamation for the diſcovering and apprehending of him, with a reward of four hundred pounds for ſo doing, yet he ſafely got to France, where his treaſonable deſigns were firſt laid and undertaken [c]. 1694.

His majeſty having ſpent ſome months in his uſual diverſions at Loo, and then ſettled the public foreign affairs at the Hague, embarked the 8th of November on the William and Mary yatch in the Maeſe, being attended by a ſquadron of men of war under the command of the lord marquis of Caermarthen; and the next day landed at Margate. He lay that night at Canterbury, and was met by the queen at Rocheſter. The day following he came to Kenſington; and on Monday the 12th, the parliament being met at Weſtminſter, the king made the following ſpeech to both houſes: The king returns to England.

" My lords and gentlemen,

" I Am glad to meet you here, when I can ſay our affairs " are in a better poſture both by ſea and land, than when " we parted laſt. The king's ſpeech to the ſixth ſeſſion of the parliament. Pr. H. C. II. 445.

" The enemy has not been in a condition to oppoſe our " fleet in theſe ſeas; and our ſending ſo great a force into the " Mediterranean has diſappointed their deſigns, and leaves " us a proſpect of further ſucceſs.

" With reſpect to the war by land, I think I may ſay, " that this year a ſtop has been put to the progreſs of the " French arms.

" Gentlemen of the houſe of commons,

" I have had ſo much experience of your good affection " to me, and of your zeal for the public, that I cannot " doubt of your aſſiſtance at this time. I do therefore earneſtly recommend to you, to provide ſuch ſupplies, as may " enable me to proſecute the war with vigour; which is the " only means to procure peace to Chriſtendom, with the ſafety and honour of England.

[c] He had been ſeized on account of the Lancaſhire plot, and knew ſo much of the deſigns of the conſpirators, that they were very buſy to get him out of priſon, being looked upon as the moſt daring and deſperate, as well as the moſt active and bloody, of all their agents. While he was in the Tower, a perſon came to him and told him, " he had brought him li" berty, but he muſt have two " hundred pounds." Parker replied, " you ſhall have three " hundred pounds." And accordingly he had it, as he told Goodman; and by this man's means he got out of the Tower in the night, and from thence to France. Oldm. p. 94.

" I muſt

1694. "I muſt likewiſe put you in mind, that the act of tonnage and poundage expires at Chriſtmas; and I hope you will think fit to continue that revenue to the crown; which is the more neceſſary at this time, in regard the ſeveral branches of the revenue are under great anticipations for extraordinary expences of the war, and ſubject to many demands upon other accounts.

"I cannot but mention to you again the debt for the tranſport-ſhips employed in the reducing of Ireland, which is a caſe of compaſſion, and deſerves relief.

"My lords and gentlemen,

"I ſhould be glad you would take into your conſideration the preparing ſome good bill for the encouragement of our ſeamen. You cannot but be ſenſible, how much a law of this nature would tend to the advancement of trade, and of the naval ſtrength of the kingdom; which is our great intereſt, and ought to be our principal care."

The parliament was opened with a calmer face than had appeared in any ſeſſion during this reign. The ſupplies that were demanded, amounting to almoſt five millions, were all readily granted [d]. An ill humour indeed appeared in ſome, who oppoſed the funds, that would moſt eaſily and moſt certainly raiſe the money that was given, upon this pretence, that ſuch taxes would grow to be a general exciſe; and that

[d] For the navy, 2,382,712 l.
For the army, 2,382,000 l.
For the raiſing theſe ſums:

1. The ſubſidy of tonnage and poundage, that was granted to king Charles II. for life, was now continued for five years.

2. A land-tax of 4 s. in the pound.

3. Certain rates and duties upon marriages, births, and burials, and upon bachelors and widows, for five years.

The burial of every perſon 4 s. and over and above for a duke or ducheſs 50 l. marquis 40 l and ſo deſcending gradually through all degrees.

Every child 2 s. and over and above for a duke's child 30 l. and ſo on through all degrees, as in the burials.

Every marriage 2 s. 6 d. but every duke over and above 50 l. &c.

Every bachelor above twenty-five years of age, and widow, 1 s. a year, but every duke over and above 12 l. 10 s. &c.

4. An Act for additional duties upon coffee, tea, and chocolate, towards paying the debts due for tranſport ſervice, for the reduction of Ireland.

5. An Act for certain duties upon glaſs-wares, ſtone and earthen bottles, coal and culm.

the

the more eaſily money was raiſed, it would be the more eaſy to continue ſuch duties to a longer period, if not for ever: the truth was, the ſecret enemies of the government propoſed ſuch funds, as would be the heavieſt to the people, and would not fully anſwer what they were eſtimated at; that ſo the nation might be uneaſy under that load, and that a conſtant deficiency might bring on ſuch a debt, that the government could not diſcharge but muſt ſink under it. 1694.

An act for frequent parliaments. Dec. 22. Burnet.

With the ſupply-bills, as the price or bargain for them, the bill for the frequent meeting and calling of parliaments went on. It was prepared by order of the commons, and brought in by Mr. Harley on the 22d of November, and, in a few days paſſing the houſe, was ſent up to the lords, who gave it their concurrence without any amendment. Four days after, on the 22d of December, the king gave it the royal aſſent. It enacted, that a new parliament ſhould be called every third year, and that the preſent parliament ſhould be diſſolved before the 1ſt of January 1695-6. This act was received with great joy, many fancying that all the other laws and liberties were now the more ſecure, ſince this was paſſed into a law. Men, that intended to ſell their own votes without doors, ſpared no coſt to buy votes of others in elections. But now it was hoped that men's characters and reputations would be the prevailing conſiderations in the choice of members of parliament, and that our conſtitution, particularly that part of it relating to the houſe of commons, would recover its ſtrength and reputation; which was now much ſunk; for corruption was ſo generally ſpread, that it was believed every thing was carried by that method. But time, and the many additional acts made upon this head, have plainly ſhewn how vain were theſe hopes, and how difficult it is to put an end to the corrupt practices which obſtruct the freedom of elections.

Archbiſhop Tillotſon's death. Nov. 22. Burnet. Kennet.

The very day this bill was brought in, died Dr. John Tillotſon, archbiſhop of Canterbury. He was taken with a fit of the dead palſy, while he was in the chapel at Whitehall on a Sunday. He felt it coming on him, but, not thinking it decent to interrupt the divine ſervice, he neglected it ſo long, that all remedies were ineffectual; and he died the fifth day after he was ſeized, on the 22d of November. His diſtemper did ſo oppreſs him, and ſpeaking was ſo uneaſy to him, that though it appeared, by ſigns and other indications, that his underſtanding remained long clear, yet he was not able to expreſs himſelf to others. He ſeemed ſtill ſerene and calm, and in broken words ſaid, he thanked God he was

1694. quiet within, and had nothing then to do, but to wait for the will of heaven. His body was buried, at his own deſire, in the church of St. Laurence-Jury in London, where he had been the Tueſday lecturer many years [e]. He was a man of excellent judgment and temper. He had a clear head, with a moſt tender and compaſſionate heart. He was a faithful and zealous friend, but a gentle and ſoon conquered enemy. He was truly and ſeriouſly religious, but without affectation, bigotry or ſuperſtition. His notions of morality were fine and ſublime. His thread of reaſoning was eaſy, clear, and ſolid. He was not only the beſt preacher of the age, but ſeemed to have brought preaching to perfection. His ſermons were ſo well heard and liked, and ſo much read, that all the nation propoſed him as a pattern, and ſtudied to copy after him. His parts remained with him clear and unclouded; but the perpetual ſlanders, and other ill uſage he had been followed with, for many years, moſt particularly ſince his advancement to that great poſt, gave him too much trouble and too deep a concern: it could neither provoke him, nor fright him from his duty; but it affected his mind ſo much, that this was thought to have ſhortened his days.

Tenniſon ſucceeds Jan. 10.

Both king and queen were much affected with Tillotſon's death. The queen for many days ſpoke of him in the tendereſt manner, and not without tears. He died ſo poor, that, if the king had not forgiven his firſt-fruits, his debts could not have been paid: So generous and charitable was he in a poſt, out of which Sancroft had raiſed an eſtate, which he left to his family [f]. Among the prelates that were talked of to ſucceed him, Stillingfleet biſhop of Worceſter, was one. The queen was inclined to him, and ſpoke more than once to the duke of Shrewſbury on that ſubject, and alſo preſſed the king earneſtly for him. But the whigs did generally apprehend, that both his notions and temper were too high; ſo the perſon moſt approved of by the miniſtry, as well as univerſally well-liked by the people, was Dr. Tenniſon biſhop of

[e] Biſhop Burnet preached his funeral ſermon to a crowded audience, in which (as he ſays himſelf) he gave him a character which was ſo ſeverely true, that perhaps he kept too much within bounds, and ſaid leſs than he deſerved.

[f] The queen ſettled 300 l. a year upon his widow, who had ſo little proviſion made for her, that the money which was raiſed by the ſale of the copy of Tillotſon's ſermons, publiſhed by Dr. Barker, amounting to 2500 l. (the largeſt ſum that had 'till then been given for any copy) was the greateſt part of what was left her.

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Lincoln, who for ſerving the cure of St. Martin's in the worſt time, with ſo much courage and diſcretion, had now many friends, and no enemies. Accordingly he was tranſlated to the ſee of Canterbury on Jan. 10, 16 4-5, and had the privilege of recommending Dr. James Gardner to the ſee of Lincoln, which he had reſigned. 1694.

The queen ſeized with the ſmall-pox and dies. Burnet.

About a month after Tillotſon's death, the queen was taken ill, but the next day her illneſs ſeemed to go off. The day following ſhe went abroad; but her illneſs returned ſo heavily on her, that ſhe could diſguiſe it no longer. She ſhut herſelf up in her cloſet that night ſome hours, and, burning many papers, put the reſt in order. After that, ſhe uſed ſome ſlight remedies, thinking it was only a tranſient indiſpoſition; but it increaſed upon her, and within two days after, the ſmall-pox (which then raged about London) appeared with very bad ſymptoms. It is ſaid that the phyſician's part was univerſally condemned, and that her death was imputed to the negligence or unſkilfulneſs of Dr. Ratcliffe. He was called for; and it appeared, but too evidently, that his opinion was chiefly conſidered, and moſt depended on. Other phyſicians were afterwards called; but not 'till it was too late. The king was ſtruck with this beyond expreſſion. On the ſecond day of her illneſs he paſſed the bill for frequent parliaments, which if he had not done that day, it is very probable he would never have paſſed it. Never was ſuch a face of univerſal ſorrow ſeen in a court, or in a town, as at this time: all people, men and women, young and old, could ſcarce refrain from tears: on Chriſtmas day, the ſmall-pox ſunk ſo entirely, and the queen felt herſelf ſo well upon it, that it was for a while concluded ſhe had the meaſles, and that the danger was over. This hope was ill grounded, and of a ſhort continuance: for, before night, all was ſadly changed. It appeared, that the ſmall-pox were now ſo ſunk, that there was no hope of raiſing them. The new archbiſhop attended on her; he performed all devotions, and had much private diſcourſe with her: when the deſperate condition ſhe was in was evident beyond doubt, he told the king, he could not do his duty faithfully, unleſs he acquainted her with the danger ſhe was in: the king approved of it, and ſaid, whatever effect it might have, he would not have her deceived in ſo important a matter. And, as the archbiſhop was preparing the queen, with ſome addreſs, not to ſurprize her too much with ſuch tidings, ſhe preſently apprehended his drift, but ſhewed no fear nor diſorder upon it. She ſaid, ſhe thanked God ſhe had always carried this in her mind,

1694. that nothing was to be left to the laſt hour; ſhe had nothing then to do, but to look up to God, and ſubmit to his will; it went further indeed than ſubmiſſion; for ſhe ſeemed to deſire death, rather than life; and ſhe continued to the laſt minute of her life in that calm and reſigned ſtate. She had formerly wrote her mind, in many particulars, to the king: And ſhe gave order, to look carefully for a ſmall ſcrutore that ſhe made uſe of, and to deliver it to the king: And, having diſpatched that, ſhe avoided the giving herſelf or him the tenderneſs, which a final parting might have raiſed in them both.

The day before ſhe died ſhe received the ſacrament, all the biſhops who were attending being admitted to receive it with her. When this was over, ſhe compoſed herſelf ſolemnly to die; ſhe ſlumbered ſometimes, but ſaid, ſhe was not refreſhed by it; ſhe tried once or twice to have ſaid ſomewhat to the king, but was not able to go through with it. Several cordials were given, but all was ineffectual; ſhe lay ſilent for ſome hours: And ſome words, that came from her, ſhewed her thoughts began to break. In concluſion, ſhe died the 28th of December, about one in the morning, in the thirty-third year of her age, and ſixth of her reign.

She was the moſt univerſally lamented princeſs, and deſerved the beſt to be ſo, of any in our age or in our hiſtory. Biſhop Burnet has written an eſſay on her character, in which he affirms nothing is ſaid, but what he knew to be ſtrictly true, without the enlargement of figure or rhetoric [z].

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[z] Her character is alſo drawn by Mr. Boyer, in the following manner:

Her perſon was tall and well proportioned; her ſhape, while princeſs of Orange, eaſy and genteel; her complexion light brown; her viſage oval, her eyes quick and lively, and the reſt of her features regular. Her ſtately port and native air of greatneſs commanded reſpect from the moſt confident; but her ſweet and graceful countenance tempered the awefulneſs of majeſty, and her affable temper encouraged the moſt timorous to approach her.

Her apprehenſion was clear and ready; her memory exact; and her judgment ſteady and ſolid: Her ſoul free from all the weakneſſes of her own ſex, and endowed with the courage and ſtrength, that ſeem peculiar to ours. She was neither elated with proſperity, nor dejected by adverſity; and it remains undecided, whether ſhe bore with more temper the ſmiles or the frowns of fortune!

When the neceſſity of affairs called the king out of his dominions, ſhe alone was ſenſible of his abſence, which ſhe fully ſupplied to theſe three kingdoms, by

The king's affliction for her death was as great as it was juſt; it was greater than thoſe, who knew him beſt, thought his 1694.

by her wiſe and prudent adminiſtration. While he went abroad as the arbiter of Europe, to wage a juſt war, ſhe ſtaid at home to maintain peace and adminiſter juſtice. He was to oppoſe and conquer enemies; ſhe to maintain and gain friends. In all this there was an union of their thoughts, and a concurrence in the ſame ends, the ſafety of Europe, the ſupport of the proteſtant religion, and the honour and proſperity of England. An eagerneſs of command was ſo far below her, that never was ſo great a capacity for government joined with ſo little appetite to it; or an authority ſo unwillingly aſſumed, ſo modeſtly managed, and ſo chearfully laid down. It was eaſy for her to reward, for all ſorts of bounty flowed readily from her; but it was much harder for her to puniſh, except when the nature of the crime made mercy become a cruelty, for then ſhe was inexorable.

She had the moſt active zeal for the public, and the moſt conſtant deſire of doing good, joined with ſuch unaffected humility, that the ſecret flatteries of vanity, or ſelf-love, had no power over her. For, when due acknowledgements were made, or decent things ſaid upon occaſions, that well deſerved them, theſe ſeemed ſcarce to be heard, and ſhe preſently turned off the diſcourſe to other ſubjects.

Her piety and virtue were real and unaffected; and the vivacity and ſweetneſs of her temper and converſation ſoftened all thoſe diſagreeable ideas, which the world is too willing to entertain of the ſeverities of virtue, and of the ſtrictneſs of true religion.

She was not content with being devout herſelf, but ſhe infuſed piety into all, who came near her; eſpecially thoſe, whom ſhe took into her more immediate care, and whom ſhe ſtudied to form with the tenderneſs and watchfulneſs of a mother. She charmed them with her inſtructions, as ſhe overcame them with her kindneſs. Never was miſtreſs both feared and loved ſo entirely as ſhe was. She ſcattered books of inſtruction round about her, that ſuch as waited might not be condemned to idleneſs, but might entertain themſelves uſefully, while they were in their turns of attendance.

She had a ſublime idea of the chriſtian religion in general, and a particular affection to the church of England; but an affection, that was neither blind nor partial. She had a true regard to piety wherever ſhe ſaw it, in what form or party ſoever. Her education and judgment led her to the national communion; but her charity was extended to all. She longed to ſee all proteſtants, both at home and abroad, in a cloſe and brotherly conjunction; and few things ever grieved her more, than that the proſpect of ſo deſired an union vaniſhed out of ſight.

Acceſs to her was never obſtructed by ſelf-intereſted ſupercilious domeſtics. She made thoſe her favourites, who made the diſtreſſed theirs. She wondered, that the true pleaſure,

1694. his temper capable of. When ſhe died, his ſpirits ſunk ſo low, that there was reaſon to apprehend, that he was following

which accompanied doing good, did not engage princes to purſue it more effectually. Without this ſhe thought, that a private life was the happier as well as the ſafer ſtate. When reflections were once made before her of the ſharpneſs of ſome hiſtorians who had left heavy imputations on the memory of ſome princes, ſhe anſwered, "That, if thoſe "princes were ſuch, as the hiſ-"torians repreſented them, they "had well deſerved that treat-"ment; and others, who tread "their ſteps, might look for "the ſame; for truth would be "told at laſt." Her charity was not confined to her own ſubjects, but extended in a moſt particular manner to multitudes of French exiles, whom the perſecution ſent hither. The ſcattered Vaudois had a ſhare in her bounty; and, when by the king's interceſſion reſtored to their vallies, they were enabled by the queen to tranſmit their faith to their poſterity. She likewiſe took care of preſerving the poor remnants of the Bohemian churches, and formed nurſeries of religion in ſome parts of Germany, which were exhauſted by war. And the laſt great project, that her thoughts were working on, with relation to a noble and royal proviſion for diſabled ſeamen at Greenwich, was particularly deſigned to be ſo conſtituted, as to put them in a probable way of ending their days in the fear of God.

She was a perfect example of conjugal love, chaſtity, and obedience. She ſet her huſband's will before her as the rule of her life. Her admiration of him made her ſubmiſſion not only eaſy, but delightful. And it is remarkable, that when Dr. Tenniſon, named to be archbiſhop of Canterbury, went to comfort the king, his majeſty anſwered, "That he could not but grieve, "ſince he had loſt a wife, who "in ſeventeen years had never "been guilty of an indiſcre-"tion."

The openneſs of her behaviour was ſubject to univerſal obſervation, but it was under that regularity of conduct, that thoſe, who knew her beſt, and ſaw her oftenеſt, could never diſcover her thoughts further, than as ſhe herſelf had a mind to reveal them; and this ſhe managed ſo, that no diſtruſt was ſhewn in it, nor diſtate given by it.

She maintained ſincerity ſo entirely, that ſhe never once needed explanations to juſtify either her words or actions. As ſhe would not deceive others, ſo ſhe avoided the ſaying of any thing, that might give them occaſion to deceive themſelves. And, when ſhe did not intend to promiſe, ſhe took care to explain her meaning ſo critically, that no fruitleſs hopes might be conceived from general words of favour.

Her age and her rank had denied her opportunities for much ſtudy; yet ſhe had read the beſt books in Engliſh, French, and Dutch, the three languages, that were almoſt equally familiar to her. She gave the moſt of her retired hours to the reading

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ing her; for ſome weeks after he was ſo little maſter of himſelf, that he was not capable of minding buſineſs, or of ſeeing company. 1694.

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of the ſcriptures, and of books relating to them. Next to the beſt ſubjects, ſhe beſtowed moſt of her time on books of hiſtory, eſpecially of the latter ages, and particularly of her own kingdoms, as being the moſt proper to give her uſeful inſtructions. She had a great reliſh, as well as a great love for poetry, but loved it beſt, when it was converſant about divine and moral ſubjects; and ſhe would often expreſs her concern for the defilement of the Engliſh ſtage.

She had no reliſh for thoſe indolent diverſions, which are too common conſumers of moſt people's time, and which make as great waſtes on their minds, as they do on their fortunes. If ſhe uſed them ſometimes, it was only in compliance with forms, becauſe ſhe was unwilling to ſeem to cenſure others with too harſh a ſeverity. She gave her minutes of leiſure with the greateſt delight to architecture and gardening. She had no other inclination, beſides this, to any diverſions, that were expenſive; and, ſince this employed many hands, ſhe was pleaſed to ſay, "That ſhe hoped it would be "forgiven her." When her eyes were endangered by reading too much, and in all thoſe hours, that were not given to better employments, ſhe wrought with her own hands, and that ſometimes with ſo conſtant a diligence, as if ſhe had been to get her livelihood by it. It was a new ſight (and ſuch a one as was made by ſome, the ſubject of raillery) to ſee a queen work ſo many hours a day. But ſhe uſed to ſay, "That ſhe looked "on idleneſs as the great cor-"rupter of human nature: "That if the mind had no "employment given it, it would "create ſome of the worſt ſort "to itſelf." Her example ſoon wrought on, not only thoſe, who belonged to her, but the whole kingdom to follow it; ſo that it was become as much the faſhion among the ladies of quality to work, as it had been formerly to be idle.

She thought it a barbarous diverſion, which reſulted from the misfortunes, imperfections, or follies of others; and ſhe ſcarce ever expreſſed a more entire ſatisfaction in a ſermon, that in that of archbiſhop Tillotſon againſt evil-ſpeaking. When ſhe thought ſome were guilty of it, ſhe would aſk them, "If they "had read that ſermon?" Which was underſtood to be a reprimand, though in the ſofteſt manner. She had indeed one of the bleſſings of virtue, that does not always accompany it; for ſhe was as free from cenſures, as ſhe was from deſerving them.

In thoſe ſteps of her later years, which, at firſt appearance, ſeemed capable of hard conſtruction, ſhe weighed the reaſons, which ſhe went upon, with great caution and exactneſs. Her inclinations lay ſtrong to a duty, that nature had put her under; but ſhe was determined to accept the crown, becauſe ſhe was perſuaded, that there was no other

1694. There are two things that ſeem to caſt ſome reflection on the memory of queen Mary; her behaviour, when ſhe firſt came to Whitehall, after her father's abdication; and her laſting quarrel with her ſiſter, the princeſs of Denmark. The queen arrived in England the very night before the throne was filled, and appeared ſo very chearful and gay, as if ſhe had not the leaſt concern for what had happened to her father. When ſhe came to her own apartment at Whitehall (ſays the ducheſs of Marlborough, who was then waiting on her) ſhe ran about it, looking into every cloſet and conveniency, and turning up the quilts upon the bed, as people do when come into an inn, and with no other ſort of concern in her appearance but ſuch as they expreſs; a behaviour, which, though at that time the ducheſs was extremely careſſed by her, ſhe thought very ſtrange and unbecoming. For whatever neceſſity there was of depoſing king James, he was ſtill her father, who had been ſo lately driven from that chamber and that bed; and therefore, if ſhe felt no tenderneſs, ſhe ſhould (as the ducheſs obſerves) at leaſt have looked grave, or even penſively ſad, at ſo melancholy a reverſe of his fortune. But biſhop Burnet's account of this incident entirely clears the queen from the charge of indecency, and want of tenderneſs on ſo moving an occaſion. It had, it ſeems, been given out, that ſhe was not well pleaſed with the late tranſactions, both with relation to her father and the preſent ſettlement. Upon which the prince wrote to her, that it was neceſſary ſhe ſhould appear, at firſt, ſo chearful, that no body might be diſcouraged by her looks, or be led to apprehend that ſhe was uneaſy by reaſon of what had been

Conduct of the ducheſs of Marlborough. p. 25.

Burnet. I. 826.

viſible means left to preſerve the proteſtant religion, not only here, but every where elſe. And, when the famous battle of the Boyne was fought, her concern was equally divided between a father and a huſband.

She received the intimations of approaching death with an entire reſignation to the will of God; and, when in the cloſeſt ſtruggle with that king of terrors, ſhe preſerved a perfect tranquillity. The melancholy ſighs of all who came near her, could not diſcompoſe her. She then declared, "That ſhe felt "the joys of a good conſcience, "and the power of religion, "giving her ſupports, which "even the laſt agonies could not "ſhake." She received the ſacrament with a devotion, that inflamed as well as melted all, who ſaw it; and then quietly concluded a life, that had been led through a great variety of accidents with a conſtant equality of temper. To ſum up all, ſhe was a tender wife, a kind friend, a gentle miſtreſs, a gracious queen, a good chriſtian, and one of the beſt of women.

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done. This made her put on a great air of gaiety, when she came to Whitehall, and, as may be imagined, had great crowds of all sorts coming to wait upon her. The bishop owns, he was one of those who censured her in his thoughts. He was of opinion, that a little more seriousness had done as well, when she came into her father's palace, and was to be set on her father's throne the next day. He had never seen the least indecency in any part of her deportment before, which made this appear so extraordinary, that some days after he took the liberty to ask her how it came, that what she saw in so sad a revolution, as to her father's person, made not a greater impression upon her? She took this freedom with her usual goodness, and assured him, that she felt the sense of it very lively upon her thoughts. But she told him, that the letters which had been sent her, had obliged her to put on a chearfulness, in which she might, perhaps, go too far, because she was obeying directions, and acting a part, which was not very natural to her. 1694.

As to the breach between the queen and her sister, the bishop says, it cannot be mentioned without some reflections on her memory, and he owns himself much troubled to see her carry it so far. Doubtless the queen imagined, the princess was in the wrong to seek after a parliamentary provision, without any previous application to her or the king, and afterwards to refuse to dismiss from her service the lady Marlborough (when the earl her husband was in disgrace) though earnestly desired, nay, ordered by their majesties so to do; and therefore she might think the princess had injured her in not submitting to her will. However this be, the queen saw her not in her last illness. For though the princess, upon news of the queen's indisposition, sent a lady of her bed-chamber, to desire that she might be allowed to wait on her majesty, she received for answer the next day, in a letter to the lady that brought the message, that the king and queen thanked her for sending and desiring to come; but, it being thought so necessary to keep the queen as quiet as possible, hoped she would defer it. This deferring the princess's coming, (says the duchess of Marlborough) was only to leave room for continuing the quarrel, in case the queen should chance to recover, or for reconciliation with the king (if that should be thought convenient) in case of the queen's death. By this delay, the two sisters never met, though (as bishop Burnet says) the queen, when dying, sent a reconciling message to the princess. Be that as it will, upon the

Burnet, II. 91.

Conduct of the duchess of Marl. p. 106. Burnet. II. 149.

1694. death of the queen, the princeſs, by advice of the lord Sunderland and others, wrote the following letter to the king:

The king and the princeſs Anne reconciled. Burnet. Conduct of the ducheſs of Marl.

SIR,

"I beg your majeſty's favourable acceptance of my ſincere "and hearty ſorry for your great affliction in the loſs of the "queen. And I do aſſure your majeſty, I am as ſenſibly "touched with this ſad misfortune, as if I had never been "ſo unhappy, as to have fallen into her diſpleaſure.

"It is my earneſt deſire, your majeſty would give me "leave to wait upon you, as ſoon as it can be without in- "convenience to you, and without danger of increaſing "your affliction, that I may have an opportunity myſelf, not "only of repeating this, but of aſſuring your majeſty of my "real intentions to omit no occaſion of giving you conſtant "proofs of my ſincere reſpect and concern for your perſon "and intereſt, as becomes,

"SIR,

"Your MAJESTY'S

"moſt affectionate ſiſter,

"and ſervant,

"ANNE."

The king, thinking a reconciliation expedient, now that the princeſs was become the next heir to the crown by the act of ſettlement, conſented that ſhe ſhould wait upon him at Kenſington at a time he appointed, where ſhe was received with extraordinary civility. The perſon, who managed entirely the affair between the king and the princeſs, was the lord Sunderland. He had, before there was any thought of the queen's dying, deſigned to uſe his utmoſt endeavours to make up the breach. He alſo perſuaded his majeſty to give the princeſs St. James's-houſe, to which the king added, by way of preſent, moſt of the queen's jewels.

But, notwithſtanding theſe and ſome other favours, the good correſpondence, that appeared between the king and princeſs, was little more than an appearance. They lived indeed in terms of civility, and in formal viſits; but the king did not bring her into any ſhare of buſineſs; nor did he order his miniſters to wait on her, and give her any account of affairs.

CHAP.

CHAP. III.

Conſolatory addreſſes.—The queen's funeral.—Lancaſhire plot.—Votes about it.—Proceedings of the parliament againſt bribery.—Affair of the orphans—and of the Eaſt-India company.—Prorogation.—State of coin.—After appointing the lords juſtices, the king goes abroad.—Parliament in Scotland—An act for a new company.—The Glencoe affair inquired into.—Affairs in Ireland.—Campaign in Flanders—in Catalonia.—The king returns and calls a parliament.—Takes a progreſs into the north.

UPON the queen's death, the two houſes ſet an example, that was followed by the whole nation, of making conſolatory addreſſes to the king. The lords led the way, and on the 31ſt of December, went in a body to Kenſington, and preſented the following addreſs: 1694. Addreſſes on the queen's death.

"WE your majeſty's moſt dutiful and loyal ſubjects, the lords ſpiritual and temporal in parliament aſſembled, do with inexpreſſible grief humbly aſſure your majeſty of the deep ſenſe we have of the loſs your majeſty and the whole kingdom doth ſuſtain by the death of that excellent princeſs, our ſovereign lady, the queen; moſt humbly beſeeching your majeſty, that you would not indulge your grief upon this ſad occaſion, to the prejudice of the health of your royal perſon, in whoſe preſervation, not only the welfare of your own ſubjects, but of all Chriſtendom, is ſo much concerned. We further beg leave, upon this ſad occaſion, humbly to renew to your majeſty, the hearty and ſincere aſſurances of our utmoſt aſſiſtance againſt all your enemies, both at home and abroad, and of all other demonſtrations of the greateſt duty and affection, that can poſſibly be paid by the moſt faithful ſubjects." The lords addreſs. Pr. H. L. I. 443.

To this addreſs his majeſty anſwered: "I heartily thank you for your kindneſs to me, but much more for the ſenſe you ſhew of our great loſs, which is above what I can expreſs."

On

1694-5. On the ſame day, the king was attended by the houſe of commons, with the like addreſs, which was ſoon followed by addreſſes, from the city and clergy of London; and from moſt of the conſiderable corporations throughout England. He was alſo addreſſed by the diſſenting miniſters, who had loſt in the queen a true friend; in reſpect of her hearty deſire of uniting to the church as many of the proteſtant diſſenters, as could be brought into the ſcheme of a comprehenſion. For few things ever grieved her more, than that the proſpect of ſo deſired an union entirely vaniſhed by the proceedings of the convocation, in 1689.

The queen's funeral. March 5. Burnet.

The queen having lain ſome time in ſtate in her bedchamber at Whitehall, her funeral was performed on the 5th day of March, with ſuch magnificence, as expreſſed the great affection the nation had for her. Not only her majeſty's houſhold ſervants, but all the judges, ſerjeants at law, lord mayor and aldermen of the city of London, and, which raiſed that mournful pomp to the higheſt pitch of ſplendor, both houſes of parliament attended the royal corps from Whitehall to Weſtminſter-Abbey, where Dr. Tenniſon, archbiſhop of Canterbury, preached her funeral ſermon [a]. This circumſtance of the two houſes attending could never happen before, ſince death had always diſſolved our parliaments. It is true, the earl of Rocheſter tried, if he could have raiſed a doubt of the legality of this parliament's continuance, ſince it was ſummoned by king William and queen Mary; alledging, that, upon her death, the writ, that ran in her name, ſeemed to die with her. This would have had

[a] This ſermon gave great offence to the diſaffected, who were extremely incenſed at the queen for her conduct towards her father; and Dr. Thomas Kenn, the deprived biſhop of Bath and Wells, wrote a letter to Dr. Tenniſon, dated March the 29th, 1695, upon the occaſion of his ſermon, reproaching him particularly, for not calling upon her majeſty on her death bed to repent of the ſhare ſhe had in the revolution. And this was a topic inſiſted upon in another pamphlet, printed at that time; to both which an anſwer was publiſhed in 1696, under the title of "A Defence "of the Archbiſhop's Sermon on "the Death of her late Majeſty "of bleſſed memory, and of the "ſermons of the late archbiſhop, biſhop of Litchfield "and Coventry, biſhop of Ely, "biſhop of Saliſbury, Dr. Sherlock, Dr. Wake, Mr. Fleetwood, &c. preached upon that "and ſeveral other ſolemn occaſions: Being a vindication "of the late queen, his preſent "majeſty, and the government, "from the malicious aſperſions "caſt upon them in two late "pamphlets,

had fatal conſequences, if, in that ſeaſon of the year, all things muſt have ſtood ſtill, till a new parliament could have been brought together. But the act, which put the adminiſtration entirely in the king, though the queen had a ſhare in the dignity of ſovereign, made this cavil appear to be ſo ill-grounded, that no body ſeconded ſo dangerous a ſuggeſtion. 1694-5.

Remarks on the bill for frequent parliaments.

The paſſing the bill for the frequent meeting of parliaments, before queen Mary's death, and even before her being taken ill, was a very ſeaſonable ſtep in the king, ſince he thereby diſpelled the jealouſies, which not only his enemies, but alſo many of his friends began to entertain of the preſent parliament; whereas, had he not given his aſſent to that act, till after the queen's death, people had not failed to ſay, that it had been extorted from him by the neceſſity of his affairs.

Account of the Lancaſhire plot. Boyer. Burnet.

Towards the beginning of this ſeſſion of parliament, the popiſh Lancaſhire gentlemen, inſtead of acknowledging the lenity of the preſent government, endeavoured to repreſent the legal proſecution of ſome of their party as a ſtate-trick, and the contrivance of ſome courtiers to enrich themſelves by the ruin of others; and ſubmitted the whole matter to the examination of the houſe of commons. It will be proper therefore to premiſe a brief account of their deſign to ſubvert the government, and of the proceedings againſt them, in order that a right notion may be formed of the grounds of the clamour againſt thoſe proceedings.

Lunt's depoſitions.

On the 15th of June 1694, Lunt, an Iriſhman, (who has already been mentioned) made his diſcovery, and depoſed before Sir John Trenchard, ſecretary of ſtate: "That he had "followed the late king James into France, and thence into "Ireland: that from Ireland he was ſent into England, with

"pamphlets, one intitled, Remarks on ſome late ſermons, &c. the other, A Letter to the author of a ſermon preached at the funeral of her late majeſty queen Mary." The author of the remarks on ſome late ſermons makes the following obſervations:

"That the queen was taken ſick and died, in the ſame month when her father laboured under an unnatural rebellion, and about the ſame hour, that he went from Feverſham; and was cut off in the middle of her days, according to the puniſhment threatened, to the breakers of the fifth commandment." St. Tr. II. 534. So inveterate were the jacobite clergy againſt the queen, for uſurping (as they called it) her father's throne, that one of them inſulted her memory, with this text, "Go now ſee this curſed woman and bury her, for ſhe is a king's daughter."

"commiſſions

1694-5. "commiſſions from that king to certain gentlemen in Lancaſhire, Cheſhire, &c. to raiſe war againſt king William and queen Mary: that he and George Wilſon, his guide, delivered thoſe commiſſions to whom they were directed; whoſe names he mentioned in his narrative. That, at the inſtance and proper coſts of thoſe gentlemen, to whom he had delivered commiſſions, he bought arms, and liſted and ſubſiſted many for the ſervice of the late king James, in order to an invaſion and inſurrection in that county. That he was twice ſent by thoſe gentlemen into France to the late king, to ſignify their readineſs, and receive his further commands; and that, when he was at London, beſides his employment of buying arms, and liſting ſoldiers, he helped ſome jacobites over into France, and ſecured others, who came from thence, who, all of them, told him, that generally ſir John Freind furniſhed money for thoſe expeditions, and paid ſubſiſtence money to them as ſoldiers." This evidence was confirmed by the teſtimony of George Wilſon, who guided and aſſiſted Lunt in the delivery of king James's commiſſions, and by the depoſitions and affidavits of ſeveral perſons, (ſome at a great diſtance from, and utter ſtrangers to one another) all agreeing in the moſt material circumſtances of the Lancaſhire conſpiracy.

The government being fully informed of the plot, warrants were iſſued out to ſeize the conſpirators; and though, for the greater ſecrecy, the names of the offenders were not put into the warrant at the ſecretary's office by thoſe who drew the warrants, but were afterwards put in by the ſecretaries themſelves, yet, by ſome treacherous correſpondence, the Lancaſhire gentlemen had notice given them of all proceedings at London. Upon this they burnt their commiſſions, buried their arms and other warlike equipage, underground, and moſt of them fled from their habitations. However, through the extraordinary care and diligence of captain Baker, and others employed in that ſervice, ſome of the plotters were apprehended, and arms enough found to convince the world, that there was a treaſonable deſign on foot againſt the government. There was likewiſe found in Mr. Standiſh's cloſet, at the ſearch made at Standiſh hall, on the 16th of July 1694, the draught of a remonſtrance or declaration, to be printed and publiſhed at king James's landing; which, according to Mr. Croſby's papers, and Mr. Robinſon's depoſitions, was to be attempted very ſpeedily.

As many of the perſons accuſed, as could be apprehended, being brought up to London, and examined, were, ſome of them, committed to the Tower, and others to Newgate, where

where they continued about a month. During this time, their friends and ſollicitors exerted all their ſkill and diligence to take off the king's evidence, both by offering them large ſums of money, as was atteſted by Mr. Baker, Mrs. Hearſt, Mr. Clayton, Mr. Brown, and Mrs. Elliot; and that failing, by finding out perſons, who would repreſent the king's witneſſes under heinous characters, that the jury might give no credit to their depoſitions. Many perſons were practiſed upon, ſome of whom refuſed ſo baſe an action; but others, through great importunities and promiſes of large rewards, were prevailed with to defame the king's evidences, both at Manchester, and in the parliament-houſe. But that which raiſed the great clamour againſt the diſcovery of the plot, was the gaining one Taffe, alias Thomas O Mullen, an Iriſhman, to the other ſide; which happened in this manner. 1694-5.

In December 1693, Lunt came from France, and being, as he afterwards pretended, troubled in conſcience, for having engaged in the barbarous deſign of aſſaſſinating the king, reſolved to atone for that crime, by diſcovering all he knew, that had been acted, or was then plotting againſt his majeſty. His coming over was made known to Mr. Taffe, a familiar acquaintance of Lunt's wife, and who was repreſented to Lunt as a perſon, that had done ſome conſiderable ſervice to the public [b]. To him Lunt's wife had told, that her huſband was lately come out of France; which made Taffe, who pretended to be zealous for the government, enquire how matters ſtood at St. Germains? adding, that, if Lunt could diſcover any thing, that might be ſerviceable to their majeſties, he would introduce him to a perſon, that would receive his information. Lunt gives credit to Taffe, ſhews his willing-

[b] Taffe was an Iriſh prieſt, who had not only changed his religion, but had married in king James's time. He came into the ſervice of the preſent government, and had a ſmall penſion. He was long in purſuit of a diſcovery of the impoſture in the birth of the prince of Wales, and was engaged with more ſucceſs in diſcovering the concealed eſtates of the prieſts and the religious orders, in which ſome progreſs was made. Theſe ſeemed to be ſure evidences of the man's ſincerity, at leaſt in his oppoſition to thoſe, whom he had forſaken, and whom he was provoking in ſo ſenſible a manner. This is mentioned chiefly to ſhew, how little that ſort of men are to be depended on. He poſſeſſed thoſe, to whom his other diſcoveries gave him acceſs, of the importance of this Lunt, and was very zealous in ſupporting Lunt's credit, and in aſſiſting him in his diſcoveries. Burnet, II. 142.

neſs

1691-5. neſs to make a diſcovery, and thereupon Taffe brings him to the earl of Bellamont, and vouches for his honeſty. After his lordſhip had heard Lunt's relation, he commanded him to wait on him again in two or three days; which Lunt obeying, and his lordſhip being ſomewhat indiſpoſed, he ſent Lunt with a Letter to ſir John Trenchard. Taffe accompanied him thither, and the ſecretary, hearing what Lunt had to diſcover, firſt ſent him into Kent, and afterwards commanded him to put his depoſitions into writing, and bring them to him. Lunt performed it: Taffe heard all the information read, aggravated the crimes, and appeared the moſt forward of any to have the perſons accuſed brought to juſtice; and, pretending to be ſerviceable in knowing the country and people there, he went down into Lancaſhire with Mr. Aaron Smith and Mr. Baker, and aſſiſted the king's meſſengers in ſearching at Standiſh-hall, and other places.

Taffe ſhewed an extraordinary zeal in his majeſty's ſervice, but might have been much more uſeful than he was in finding concealed arms and perſons, if he had made more uſe of his head and leſs of his fingers. The managers of that affair, and the king's meſſengers, quickly perceiving his pilfering practices to be very injurious to the inhabitants, and no leſs ſcandalous to themſelves, were forced to have as watchful an eye upon him, as upon the buſineſs they were employed in; though, notwithſtanding all their care, he committed ſome groſs felonies. Soon after he came to London, he waited on the lord Bellamont, gave his lordſhip an account of what perſons and arms had been ſeized, that ſeveral gentlemen had made their eſcapes, and that others abſconded to ſecure themſelves: whereupon the lord Bellamont aſked Taffe, if this was the buſineſs, which Lunt had diſcovered? Taffe anſwered, it was, and that Lunt was the main evidence of the conſpiracy; was very well known at the reſpective places, which he had mentioned in his depoſitions; and had done greater ſervice at his being there, if the Lancaſhire gentlemen had not received notice from London of their coming ten days before they came to Standiſh-hall. This account being given to the lord Bellamont, Taffe addreſſed himſelf to Mr. Aaron Smith and captain Baker, for the reward of his ſervice; but, finding himſelf ſlighted and reprimanded for his ſcandalous behaviour, he grew angry, and reſolved to revenge himſelf upon the government, even to the ſpoiling of the plot. The friends, relations, and ſollicitors of the priſoners were no ſooner acquainted with his deſign, but the bargain was ſtruck, and his terms agreed to: twenty pounds were paid

him in hand, with assurance (as was afterwards sworn in the house of lords) of a good annuity for life, to be settled in Lancashire; and, lest he should cool, he was immediately sent into the country to be their counter-evidence, when the trials should commence at Manchester. 1694-5.

Having thus gained Taffe, and got from unwary Lunt the names of the king's witnesses, and the whole matter of the evidence, the next attempt for defeating the whole plot was engaging Ferguson to write in defence of the Lancashire gentlemen, and to asperse their accusers; and this stratagem had such a notable effect, that the popish mob at Manchester animated by reading Ferguson's paper (which was almost in every hand in that county) had resolved to prevent the trials of the prisoners, by stoning the king's evidences to death. But those, who knew they would be acquitted, prevailed with the mob to forbear the execution of that inhuman resolution till the trials were ended. And indeed, no sooner were the trials over, and the witnesses leaving the town, but the mob endeavoured to stone them to death, and in such a violent and tumultuous manner, that not only the witnesses, but a gentleman of counsel for the king, the king's prosecutor, and king's clerk in the crown-office, very narrowly escaped with their lives.

The trials began at Manchester the 16th of October 1694, where the king's evidence proved, "That the prisoners at the "bar had received commissions from the late king James, to "raise war against the present government: and to that end "had bought arms, listed and subsisted soldiers at their own "charge, &c." It is affirmed that sir William Williams, though then one of the counsel for the king, endeavoured to baffle and confound the king's witnesses, by asking them several frivolous questions; but, failing in that, he required Lunt to point at the several prisoners by name. In doing this, Lunt happened to point at a wrong man, which mistake might be occasioned by the crowd. However, this gratified the popish mob, and raised a loud laugh. But their mirth continued not long; for, another of the judges commanding Lunt to touch and name all the accused gentlemen with the cryer's staff, he named them all right. The Lancashire gentlemen tried at Manchester,

Witnesses were afterwards produced for the prisoners, but nothing was alledged by them, that could invalidate the king's evidence, except Taffe's testimony, who boldly declared, "That there was no truth in the pretended plot, the "whole being a villainous contrivance between himself and "Lunt;" which single declaration, without any oath, outweighed

1694-5. weighed the teſtimonies of the ten poſitive witneſſes for the king; and thereupon ſir William Williams, the chief manager of the trial, ſat down in the court, and would examine no more witneſſes againſt the priſoners. And ſo, without calling for the reſt of the evidence, the matter was let fall; and, when the judges gave the charge to the jury, it was in favour of the priſoners; ſo that they were acquitted, and thoſe that were ordered to be tried after them, were all diſcharged without trial.

and acquitted.

The whole party triumphed upon this as a victory, and complained both of the miniſters of ſtate and of the judges; and ſir William Williams, being returned to London, repreſented the plot as a wicked and horrible contrivance; upon which the government, in abhorrence of ſuch a deſign, immediately ordered the witneſſes to be proſecuted for a conſpiracy againſt the lives and eſtates of the Lancaſhire and Cheſhire gentlemen. This ſtrange turn being given to the affair, many of the wiſer ſort of thoſe, who were friends to the accuſed gentlemen, and dreaded the conſequence of a further inquiry, adviſed them to ſit down quietly, and leave it to the government to puniſh their accuſers, if they ſaw fit; but ſome lawyers over-ruled this advice, and ſo the Lancaſhire and Cheſhire gentlemen, on the 24th of November 1694, brought the affair into the houſe of commons.

While this affair was depending, ſeveral witneſſes were procured againſt the king's evidences in parliament, by downright bribery, and by telling them, that they were not to be put to their oaths; and therefore, not being in danger of perjury, might ſafely and confidently tell all the ſtories that were dictated to them [c]. Indirect means were alſo uſed to aſperſe the earl of Macclesfield, at that time lord-lieutenant of the county of Lancaſter, who, being a profeſſed friend to the government, was, of conſequence, thought by the jacobites their mortal enemy.

Votes of the commons about the Lancaſhire plot.

The houſe of commons, after ſeveral hearings, ſtrict examinations, and long debates, which continued at the ſeveral

[c] By the late trial, it had manifeſtly appeared, how little the crown gained by one thing, which yet was thought an advantage; that the witneſſes for the priſoners were not upon oath: many things were upon this occaſion witneſſed in favour of the priſoners, which were afterwards found to be notoriouſly falſe; and it is certain, that the terror of an oath is a great reſtraint, and many, whom an oath might over-awe, would more freely allow themſelves the liberty of lying, in behalf of a priſoner, to ſave his life.

appointed times, the ſpace of eleven weeks, on the 6th of February, "proceeded farther in reading the information "and papers delivered into the houſe by Mr. Aaron Smith, "touching the late proceedings and trials in Lancaſhire and "Cheſhire. Mr. Lunt's information was read; as alſo Mr. "Wilſon's and Mr. Womball's; and other papers delivered "into the houſe by Mr. Aaron Smith were likewiſe read; "among which were ſeveral printed papers. Whereupon "the houſe came to the following reſolutions; firſt, That "there did appear to the houſe, that there was ſufficient "grounds for the proſecution and trials of the gentlemen at "Mancheſter. And, ſecondly, That upon the informations "and examinations before this houſe, it doth appear, that "there was a dangerous plot carried on againſt the king and "government." At the ſame time the commons ordered an act of the pretended parliament of Ireland, held in the year 1689, recognizing the late king James, and two proclamations of that abdicated prince, to be burnt by the hands of the common hangman. Beſides this, the houſe, after having given an order for the taking Mr. Standiſh of Standiſh-hall in Lancaſhire into cuſtody, and their meſſenger reporting, that he was not to be found, addreſſed the king to iſſue out a proclamation to apprehend him. 1694-5.

This diſappointment in the houſe of commons was no ſmall mortification to the jacobites; yet, in hopes of better ſucceſs, they laid their complaints alſo before the houſe of peers, where, after examining ſome witneſſes, and many debates, the queſtion being put, "Whether the government had ſuffi-"cient cauſe to proſecute the Lancaſhire and Cheſhire gen-"tlemen?" It was carried in the affirmative; though the earls of Rocheſter and Nottingham appeared with great zeal on the other ſide, and in concluſion proteſted againſt the vote, by which the lords juſtified the proceedings againſt thoſe gentlemen.

The accuſed gentlemen, notwithſtanding theſe diſappointments, at the next Lancaſter aſſizes in Auguſt 1695, brought on trials upon an information of perjury againſt Lunt, Womball, and Wilſon, three of the king's witneſſes, who were all found guilty; and afterwards indicted for a conſpiracy againſt the lives and eſtates of thoſe gentlemen. But, the gentlemen refuſing to furniſh the king's attorney and ſolicitor-general with witneſſes to prove the pretended perjuries, the proſecution was let fall, and Lunt, Womball, and Wilſon diſcharged.

1694-5. This deſign of throwing an imputation upon the government failing, another was ſet up againſt the bank, which began to have a flouriſhing credit, and had ſupplied the king ſo regularly with money, and that upon ſuch reaſonable terms, that thoſe, who intended to make matters go heavily, tried what could be done to ſhake the credit of the bank. But this attempt was rejected in both houſes with indignation; it being very evident, that public credit would ſignify little, if what was eſtabliſhed, in one ſeſſion of parliament, might be fallen upon and ſhaken in another.

Complaints of the bank. Burnet.

The moſt remarkable buſineſs of this ſeſſion of parliament was the inquiry into bribery, and the timely check given to the moſt ſcandalous and dangerous corruption, which had lately tainted, not only the agents of the army, and ſeveral members of the houſe of commons, but alſo the ſpeaker himſelf, and crept into his majeſty's privy-council. The inquiry into theſe corrupt practices was as accidental as neceſſary. In the account of it mention is made of the monſtrous ſums of thouſands, and tens of thouſands; yet, at the firſt, the payment of a petty ſum of ten pounds, or leſs, had certainly prevented the diſcovery, the riſe of which was from the juſt complaint of ſome inhabitants of Royſton in Hertfordſhire againſt the abuſes of officers and ſoldiers in exacting ſubſiſtence-money. This coming by petition, before the houſe of commons, and the petitioners, and alſo Mr. Tracy Pauncefort, agent of colonel Haſtings's regiment, and the officers complained of, being heard and examined, it was unanimouſly reſolved, "That the officers and ſoldiers of the army demanding and exacting ſubſiſtence-money in their quarters, or upon their march, is arbitrary and illegal, and a great violation of the rights and liberties of the ſubject:" and thereupon ordered, "That the commiſſioners for taking and ſtating the public accounts do lay before the houſe their obſervations of the abuſes and ill practices committed by the agents of the regiments of the army; and that agent Pauncefort ſhould forthwith lay before the houſe a particular account of all the monies received by him from the earl of Ranelagh, and the times of ſuch receipts ſince the 28th of May laſt; and how he had paid the ſums, and when, and to whom, and what remained in his hands."

Proceedings in parliament againſt bribery. St. Tr. II. 476.

The occaſion of the inquiry.

Jan. 12.

Jan. 23.

Purſuant to this order, Mr. Harley, from the commiſſioners for taking and ſtating the public accounts, preſented to the houſe their obſervations on the ill practices committed by the agents; which being taken into conſideration, and Pauncefort, upon bringing in his accounts, being examined, as alſo colonel

Jan. 25.

Jan. 29.

colonel Haſtings, major Monteal and ſome other officers and agents, it was reſolved by the houſe, "That agent Tracey "Pauncefort, for neglecting to pay the ſubſiſtence-money "to the officers and ſoldiers, that quartered at Royſton, "having monies in his hands to do the ſame, be taken "into the cuſtody of the ſerjeant at arms attending the houſe." About a fortnight after Pauncefort was again examined, and refuſing to anſwer to ſeveral queſtions, though required upon pain of being proceeded againſt with the utmoſt rigour and ſeverity, it was unanimouſly reſolved, "That, by his abſo- "lute refuſal to anſwer to a matter of fact, demanded of him "by the houſe, he had violated the privilege, and con- "temned the authority of the houſe, and the fundamental "conſtitution thereof;" for which offence he was immediately committed priſoner to the Tower. 1694-5.

His brother, Mr. Edward Pauncefort, was next brought upon the ſtage, who being ſummoned, and examined by the houſe, it was reſolved, "That he, for contriving to cheat "colonel Haſtings's regiment of five hundred guineas, and "for giving a bribe to obtain the king's bounty, be taken "into cuſtody." Then immediately followed Mr. Henry Guy, a member of the houſe, and ſecretary of the treaſury, who, for having taken a bribe of two hundred guineas for procuring the arrears due to a regiment, to be payed, was ſent to the Tower, and turned out of his place. Many were the more ſharpened againſt him, becauſe it was believed, that he, as well as Trevor the ſpeaker, were deeply concerned in corrupting the members of the houſe of commons. He had held his place both in King Charles's and king James's time; and the ſhare he had, in the ſecret diſtribution of money, had made him a neceſſary man for thoſe methods. Feb. 16. Burnet.

For the redreſs of theſe things the commons agreed upon a repreſentation to be made to the king, ſetting forth the notorious abuſes, ill practices, and intolerable exactions of the colonels and their agents, upon the inferior officers and common ſoldiers, which the king promiſed to take all poſſible care to have redreſſed[d]. Accordingly colonel Haſtings was immediately Feb. 26.

[d] The repreſentation was as follows:

"I. That ſome of the agents "had detained the money due "to the ſoldiers in their hands, "and made uſe of it for their "own advantage, inſtead of "immediately applying it to the "ſubſiſtence of the officers and "ſoldiers, for whom they were "intruſted. II. That by their "intolerable exactions, and "great extortions, upon the of- "ficers and ſoldiers, for paying

1694-5. diately caſhiered, and his regiment given to ſir John Jacob his lieutenant-colonel.

" by way of advance, and by " their charging more for the " diſcount of tallies, than they " actually paid, it appeared, " that thoſe who ſerved in his " majeſty's armies, notwith- " ſtanding they had a greater " pay, than is given in any " other part of the world, they " were yet reduced to incon- " veniencies and extremities, " which ought not to be put " upon thoſe, who venture their " lives for the honour and ſafe- " ty of the nation. III. That " in particular colonel Haſtings " had compelled ſome officers " of his regiment to take their " clothes from him at extrava- " gant rates, by confining and " threatening thoſe, that would " not comply therewith; by " which the authority, that " might be neceſſary to be " lodged in the colonel over the " inferior officers, in ſome caſes " was miſapplied, and extended " ſo as to promote a private " advantage of his own, with- " out any regard to his ma- " jeſty's ſervice, or to the diſ- " cipline of the army. IV. That " colonel Haſtings's agent had " preſumed fraudulently to de- " tain five hundred guineas out " of a bounty given by his ma- " jeſty to the officers of the " regiment, under pretence of " giving them as a bribe to " obtain the ſame, to the diſ- " honour of his majeſty, and " injury to the officers; and " had taken two-pence per " pound out of the money due " to the officers and ſoldiers, " for which deduction there be- " ing no warrant, the colonel, " whoſe ſervant the agent is, " was anſwerable. V. That " colonel Haſtings's agent had " refuſed or neglected to give " an account of the pay due " to the captains of his regi- " ment, and their companies, " which tended apparently to " the defrauding the officers " and ſoldiers. VI. That ſome " of the agents aſſumed to " themſelves the liberty of " making great deductions, " which ſince they knew not " how to juſtify, they endea- " voured to cover, by putting " them under the ſhelter of " the uncertain head of " con- " tingences," which gave them " the better opportunity of hid- " ing the frauds and abuſes, " that would otherwiſe be more " liable to be detected. VII. " That colonel Haſtings had " diſcharged an enſign, by put- " ing another into his room, " contrary to the true diſcipline " of an army; from which the " colonels have no right to ex- " empt themſelves, to enlarge " their own authority, to the " prejudice of his majeſty's ſer- " vice, and of the officers, that " ſerve under them. VIII. That " colonel Haſtings had taken " money for the recommending " to commands in his regiment, " to the great diſcouragement " of the officers, who were to " ſerve in his majeſty's armies, " who ought to be ſuch, as de- " ſerved their commands, and " not ſuch as paid for them."

Some

Some time before, the king in council was pleaſed to order the chief officers of the army to meet twice a week, at the great chamber at the horſe-guards at Whitehall, to receive and examine all informations and complaints, that ſhould be brought before them of any wrong or injury done by an officer or ſoldier of his majeſty's land-forces, in order to redreſs the ſame. And on the 13th of March was publiſhed his majeſty's declaration for the ſtrict diſcipline of the army, whereby in particular all officers and ſoldiers were forbid to exact or demand ſubſiſtence-money in their quarters, or on their march. 1694-5. Feb. 19.

To get a further inſight into the ill practices of the colonels and their agents, Mr. James Craggs, one of the contractors, for the clothing of the army, was ſummoned to attend the houſe of commons; but upon his refuſal to produce his books, and to be examined before the commiſſioners for taking and ſtating the public accounts, thereby obſtructing the enquiry of the houſe into the diſpoſal of the public monies, it was reſolved, "That he be committed priſoner to the "Tower of London." Craggs ſent to the Tower, March 7.

Mr. Richard Harnage, another contractor, refuſing alſo to be examined upon oath before the commiſſioners, a bill was ordered to be brought in, to oblige Mr Edw. and Mr. Tracy Pauncefort, Mr. Craggs, and Mr. Harnage, to diſcover how they diſpoſed of the money paid into their hands, relating to the army. A few days after Harnage was likewiſe ordered to be taken into cuſtody. and Harnage taken into cuſtody.

About the ſame time a loud clamour of bribery was raiſed again the commiſſioners for licenſing hackney-coaches; and the houſe of commons having appointed a committee to examine the matter, they made their report to the houſe, "That ſeveral of the commiſſioners had, by receiving bribes, "and by other undue means, acted corruptly and arbi- "trarily, contrary to the authority and truſt repoſed in them "by act of parliament." Upon which the houſe ordered the committee to diſtinguiſh the commiſſioners, which they accordingly did; and by their report of the 20th of March, Henry Aſhurſt and Walter Overbury, two of the commiſſioners, were honourably cleared; and the others, Henry Killegrew, Henry Villers, and Richard Gee, declared guilty, upon which the houſe reſolved, "That an addreſs be "made to his majeſty, to remove them from the commiſſion "for licenſing hackney-coaches;" which was accordingly done, and they were removed. Commiſſioners of the hackney-coaches corrupted. March 8.

1694-5. From theſe ſmall beginnings, a common murmur aroſe, that an univerſal corruption had overſpread the nation; that court, camp, and city were tainted, nay, the very parliament itſelf infected. The houſe of commons, being awakened by the alarm, reſolved to ſearch into the bottom of the reigning corruption. They began with appointing a committee, to inſpect the books of the Chamberlain of London, and of the Eaſt-India company, and impowered them to ſend for perſons and papers[e].

An univerſal corruption complained of. St. Tr. II. 480.

The orphans affair.

The inſpection of the chamberlain's books related chiefly to the orphans affair. The city of London had ſeveral years ſollicited in vain, to have a bill paſſed, for payment of the debt due to the orphans. This debt grew into a great burden on the city, during the magiſtracy of Moor, Pritchard, North, Rich, and ſome others. Many hundred orphans ſtarved, for want of their portions, which had been put into the chamberlain's hands, on the ſecurity of the city; but, as the exchequer was ſhut up in king Charles's time, ſo the chamber of London was alſo ſhut up, and bankruptcy pleaded to the demand of the diſtreſſed orphans. When the management of the city-affairs fell into better hands, a committee was appointed to enquire into this matter, who finding that nothing had been done after three years troubleſome ſollicitation, and that ſeveral bills had been brought into the houſe of commons, for the relief of the orphans, but they were always loſt or ſo clogged, that a bill could not paſs through the houſe in a ſeſſion, thought the moſt effectual way, to prevent the ſtarving of theſe orphans, would be to give ſome men of intereſt what they ſhould require; and engage them to do for profit, what they would not do for juſtice. Accordingly, by a proper application and diſpoſal of ſeveral ſums of money, a bill (as hath been related) paſſed in the laſt ſeſſion of parliament, creating a fund for the repayment of the debt owing to the orphans, by the chamber of London. Among the ſums diſtributed on this occaſion, it was found that "the Chamber" had made ſir John Trevor, the ſpeaker, a preſent of a thouſand guineas, for the ſervice he did them in this affair. This was entered in their books, ſo that full proof was made of it. It was indeed believed, that a much greater preſent had been made him, in behalf of the orphans: but no proof of that appeared,

The ſpeaker expelled the houſe for corruption.

[e] The commiſſioners were, Mr. Paul Foley, ſir Richard Onſlow, Mr. John Pollexfen, ſir John Thompſon, Mr. Foot Onſlow, Mr. Thomas Pelham, ſir Samuel Barnardiſton, the honourable Mr. Thomas Wharton, and Mr. Francis Gwin.

what had been taken, in ſo public a manner, 1694-5.
This was objected to Trevor, as corrup-
tion and breach of truſt, and, upon it, he was expelled Foley
the houſe, and Mr. Paul Foley was choſen ſpeaker in his choſen
room, who had got credit by his integrity and conſtant com- ſpeaker.
plaining of the adminiſtration. Mr. John Hungerford, a member of the houſe of commons, was alſo found to have received twenty guineas upon the ſame account, for which he was likewiſe expelled the houſe [f].

One

[f] The reader may ſee a large account of this matter in the collection of the proceedings in parliament in 1694 and 1695, publiſhed in the ſecond volume of State Tracts, p. 481. The ſubſtance of which is as follows:

The committee reported, That, having inſpected the chamberlain of London's books they found an order made by a committee of the common-council for the city of London (appointed to conſider of ways and means for ſatisfying the debts due to the orphans of the ſaid city) and dated the 12th of February 1693-4, by which the chamberlain was directed to pay to ſir John Trevor, ſpeaker of the houſe of commons, the ſum of one thouſand guineas, ſo ſoon as a bill was paſſed into an act of parliament for ſatisfying the debts of the orphans, and other creditors of the ſaid city; which ſum was paid and delivered to ſir John Trevor, on the 22d of June 1694, in the preſence of ſir Robert Clayton and ſir James Houblon. That they obſerved, that the order of the committee of the common-council, which now ſtood dated the 12th of February, was at firſt dated the 13th of February; and that the perſon named therein was put in a different hand. That examining, who firſt writ the warrant, Mr. Barrett, the city ſollicitor, owned it was his hand-writing; and at firſt ſaid, that he believed the blank at firſt left therein was filled up with the ſpeaker's name, before the committee ſigned it, becauſe he believed they would not ſet their hands to a blank. But all the committee, who ſigned it, and who appeared upon ſummons, declared moſt of them poſitively, that there was a blank for the perſon's name, when they ſigned it; and the reſt being doubtful, Mr. Barrett then ſaid, that the blank might be filled up afterwards, though he could not tell the time: However, he owned he filled it up with another pen. That they found another order of the ſaid committee dated the 26th of April 1693, directing the chamberlain to pay to Paul Jodrell, eſq; the ſum of a hundred guineas for his pains and ſervice in aſſiſting the orphans bill to paſs in parliament; which ſum was paid him the 22d of June 1694. That in the chamberlain's books were entered ſeveral ſums paid to Mr. Barrett, to defray the charge of drawing the bill, making copies thereof, and of the petitions and orders relating

1694-5. One diſcovery making way for another, the committee for inſpecting the Eaſt-India company's books found that there were entries made of great ſums given, for ſecret ſervice done the company, that amounted to 170000 l. and it was

The Eaſt-India company's affair. Burnet.

to the ſame; amongſt which payments they found five guineas paid to Mr. Soilicitor-general for his advice therein, five guineas to Mr. Harcourt, twenty guineas to Mr. Hungerford, Chairman of the grand committee, for his pains and ſervice, and 60 l. 9 s. to Mr. Jodrell. That they underſtood, that the orphans, for the procuring of this bill, had given bond to Mr. Smith and Mr. Charles Nois, to allow them 12 d. in the pound, when the bill was paſſed, for their pains and charges in that matter; which contract being made void in that bill, the court of aldermen were impowered to ſatisfy them for their real expences. That upon this, Smith and Nois applied themſelves to the court of aldermen, and got a petition to be ſigned by many of the orphans, that they were willing, notwithſtanding the act of parliament, they ſhould be allowed 12 d. in the pound. That the ſaid Nois and Smith brought in a bill to the committee of the common-council of their charges, amounting to 3457 l. 16 s. but, as was alledged, they pretended to be more than 10,000 l. out of purſe; by which argument they got ſubſcriptions to the ſaid petition; in which bill there was charged 1650 l. paid to Mr. George Finch, for carrying on the ſaid act. That, Mr. Nois and Mr. Smith being examined, they utterly denied, that they had given any money to any member of parliament on the account of the ſaid bill, or knew of any to be given; but they were willing to get what they could, having taken a great deal of pains in long ſolliciting the ſame; and that they did ſay, that, notwithſtanding they charged 1650 l. to be paid Mr. George Finch, yet they had not paid him any money; but, having delivered up his bond for the 12 d. in the pound, they valued his ſhare of the orphans debt to amount to that ſum. That Mr. George Finch, being examined, denied to have received any thing from Mr. Nois and Mr. Smith, or his paying any money to any member of parliament; but wavering in his diſcourſe, and being again aſked, if he ever did diſtribute, or knew of any money diſtributed on account of the orphans bill, he ſaid, "It was a hard thing "to be aſked ſuch queſtions:" That however he owned, that upon ſuggeſtion, that there were obſtructions to the bill, which muſt be removed by money, he applied himſelf to ſeveral of the orphans, and received 100 l. from Mr. John Chadwick, 200 l. from Mr. Harvey, 100 l. from Mr. Scott, and 50 l. from Mr. Herne, and had a promiſe of 100 l. from ſir John Smith, which was not yet paid. And laſtly, they reported, that Mr. Chadwick and Mr. Herne proved the payment of the money to Mr. George Finch,

was generally believed, that the greateſt part of it had gone among the members of the houſe of commons; for the two preceding winters, there had been attempts, eagerly purſued by ſome, for breaking the company, and either opening a free trade to the Indies, or, at leaſt, erecting a new company: but it was obſerved, that ſome of the hotteſt ſticklers againſt the company did, inſenſibly, not only fall off from that heat, but turned to ſerve the company, as much as they had at firſt endeavoured to deſtroy it. Seymour was 1694-5.

Finch, but could give no account what he had done with it.

The commons, having debated and weighed theſe reports, came to this reſolution, "That ſir "John Trevor, ſpeaker of the "houſe, receiving a gratuity of "one thouſand guineas from "the city of London, after paſ- "ſing of the orphans bill, was "guilty of a high crime and "miſdemeanor."

Sir John Trevor abſenting himſelf from the houſe, the commons, on the 14th of March, reſolved to proceed to the election of a new ſpeaker; and ſir Thomas Littleton and Mr. Paul Foley were propoſed. The majority inclined to chooſe Littleton; but Mr. Wharton, comptroller of the king's houſhold, having ſpoken in his behalf, the commons from thence preſumed, that he was altogether in the court-intereſt, and thereupon elected Mr. Foley.

On the 16th of March the commons proceeded upon the abovementioned reports, and reſolved, "That Sir John Trevor, "their late ſpeaker, being "guilty of a high crime and "miſdemeanor, &c. be ex- "pelled the houſe." Two days after they paſſed another vote, "That whoſoever ſhould diſ- "cover any money or other "gratuity given to any mem- "ber of the houſe, for matters "tranſacted in the houſe, re- "lating to the orphans bill, or "the Eaſt-India company, "ſhould have the indemnity of "the houſe for ſuch gift;" and ordered, that Mr. Charles Nois and ſeveral others ſhould attend the houſe the next day. Mr. Nois attended accordingly, and being examined, it was reſolved, "That he, having to ſeveral "perſons pretended he was out "of purſe, or engaged to give "great ſums of money to ſe- "veral members of the houſe, "in order to paſs the orphans "bill, which, on his examina- "tion, he denied to have given "or promiſed, had been an oc- "caſion of ſcandal to the houſe "and the members thereof." And thereupon it was ordered, that the ſaid Mr. Nois be taken into the cuſtody of the ſerjeant at arms attending the houſe.

On the 26th of March 1695, it was reſolved by the commons, "That Mr. Hungerford one "of their members, having "received twenty guineas for "his pains and ſervice as chair- "man of the committee of the "houſe, to whom the Orphan's "bill was committed, was guil- "ty of a high crime and miſde- "meanor; and that he be ex- "pelled the houſe."

among

1694-5. among the chief of theſe: And it was ſaid, [illegible] 12000l. of their money, under the colour of [illegible] their ſalt-petre. Great pains and art was uſed [illegible] enquiry; but curioſity, envy, and ill-nature, a [illegible] tue, will on ſuch occaſions always prevail, to ſet on enquiries. Thoſe, who have had nothing, deſire to know who have had ſomething, while the guilty perſons dare not ſhew too great a concern in oppoſing diſcoveries. Sir Thomas Cooke, a rich merchant, who was governor of the company, was examined concerning that great ſum given for ſecret ſervice; but he refuſed to anſwer. So a ſevere bill was brought in againſt him, in caſe he ſhould not, by a prefixed day, confeſs how all that money had been diſpoſed of. When the bill was ſent up to the lords, and was like to paſs, he came in, and offered to make a full diſcovery, if he might be indemnified, for all that he had done, or that he might ſay in that matter: the enemies of the court hoped for great diſcoveries, that ſhould diſgrace both the miniſters and the favourites; but it appeared, that, whereas both king Charles and king James had obliged the company, to make them a yearly preſent of 10000l. that the king had received this but once; and that, though the company offered a preſent of 50000l. if the king would grant them a new charter, and conſent to an act of parliament confirming it, the king had refuſed to hearken to it. There were indeed preſumptions, that the marquis of Caermarthen had taken a preſent of five thouſand guineas, which were ſent back to ſir Thomas Cooke, the morning before he was to make his diſcovery. The lords appointed twelve of their body to meet with twenty-four of the houſe of commons, to examine into this matter; but they were ſo ill ſatisfied with the account that was given them, by the four perſons who had been intruſted with this ſecret, that by a particular act, that paſſed both houſes, they were committed to the Tower of London, till the end of the next ſeſſion of parliament, and reſtrained from diſpoſing of their eſtates, real or perſonal. Theſe were proceedings of an extraordinary nature, which could not be juſtified, but from the extraordinary occaſion that was given for them. Some ſaid, this looked like the ſetting up a court of inquiſition, when new laws were made on purpoſe to diſcover ſecret tranſactions; and that no bounds could be ſet to ſuch a method of proceeding. Others ſaid, that, when entries were made of ſuch ſums, ſecretly diſpoſed of, it was as juſt for a parliament to force a confeſſion, as it was common in the courſe of the law to ſubpœna a man, to declare all his knowledge of any matter,

matter, how ſecretly ſoever it might have been managed, and what perſon ſoever might have been concerned in it. The lord preſident felt, that he was deeply wounded with this diſcovery; for, while the act, againſt Cooke, was paſſing in the houſe of lords, he took occaſion to affirm, with ſolemn proteſtations, that he himſelf was not at all concerned in that matter; but now all had broke out: one Firebraſs a merchant, employed by the Eaſt-India company, had treated with Bates, a friend of the marquis of Caermarthen's; and for the favour that lord was to do them, in procuring them a new charter, Bates was to have for his uſe five thouſand guineas. But now a new turn was to be given to all this: Bates ſwore, that he indeed received the money, and that he offered it to that lord, who poſitively refuſed to take it: but, ſince it was already payed in, he adviſed Bates to keep it to himſelf: though, by the examination, it appeared, that Bates was to have five hundred pounds for his own negotiating the affair. It did alſo appear, that the money was payed to one of that lord's ſervants; but he could not be come at. Upon this diſcovery, the houſe of commons voted an impeachment for a miſdemeanour againſt the lord preſident; he, to prevent that, deſired to be heard ſpeak to that houſe in his own juſtification. When he was before them, he ſet out the ſervices that, he had done the nation, in terms that were not thought very decent; he aſſumed the greateſt ſhare of the honour of the revolution to himſelf; he expreſſed a great uneaſineſs, to be brought under ſo black an imputation, from which he cleared himſelf as much as words could do; in the end, he deſired a preſent trial. Articles were upon that brought againſt him; he, in anſwer to theſe, denied his having received the money. But his ſervant, whoſe teſtimony only could have cleared that point, diſappearing, the ſuſpicion ſtuck ſtill on him. It was intended to hang up the matter to another ſeſſion; but an act of grace came in the end of this, with an exception indeed as to corruption; yet this whole diſcovery was let fall, and it was believed, too many of all ſides were concerned in it: for, by a common conſent, it was never revived [g]. 1694-5.

Whilſt

[g] In the collection of the proceedings in parliament mentioned in the foregoing note, the reader may likewiſe find an account of the Eaſt-India company's affair, from whence the following extract is taken.

On the 12th of March Mr. Foley reported from the ſaid committee, that, as ſoon as they came

1695. Whilſt the lords were debating on the duke of Leeds's affair, and the commons proceeding to impeach other perſons concerned in this corruption, the king came to the houſe of peers, and, ſending for the commons, put an end to the ſeſſion with the following ſpeech:

The parliament prorogued May 3.

"My

came to the Eaſt-India houſe, they called for an account of all monies paid for the ſpecial ſervice of the company; upon peruſal of which obſerving, that the greateſt payment was in the year 1693, they ſearched for the orders for the iſſuing of that money, the chief of which were, one dated the 13th of April 1693, another dated the 24th of November 1693, and another the 22d of January 1693-4; in purſuance of which the ſums of 22275 l. 24983 l. and 30000 l. were ſeverally paid out of the caſh, amounting in all to 77258 l. beſides ſeveral ſmaller ſums, amounting in the whole to 10144 l. which, with the former ſum, made 87402 l. all iſſued out in the year 1693, while ſir Thomas Cooke was governor, and Francis Tyſſen, Eſq; deputy-governor, for the ſpecial ſervice of the houſe, and obtaining a new charter. That they found by examination of moſt of the perſons preſent at the committees of the Eaſt India company, where the ſaid orders were made, That the governor in the ſaid committees did only, in general, inform what ſums he had diſburſed, without naming the particulars, to whom, or to what ſervice; which ſeveral of them ſaid was a new courſe, ſince ſir Thomas Cooke came to be deputy governor or governor. That in a ſtate of the company's caſh, dated at the Eaſt-India houſe the 7th of March 1694-5, and drawn up by ſeveral members of the company impowered for that purpoſe, near all the aforeſaid ſums were obſerved to be paid and placed to the company's account of charges general, paid out of caſh, viz. in 1688 and 1689, ſir Benjamin Bathurſt governor, and ſir Joſiah Child deputy governor, 2230 l. 14 s. In 1690 and 1691, ſir Joſeph Herne governor, and ſir Thomas Cooke deputy-governor, 13532 l. 9 s. In 1692 and 1693, ſir Thomas Cooke governor, and Mr. Tyſſen deputy-governor, 87402 l. 12 s. in the whole 103165 l. 15 s. That upon examination of the company's caſh-book, having found that the balance, the 31ſt of October 1694, was 124249 l. they demanded of Mr. Portman the caſhier, if he had the ſame in caſh. That he replied, he had not, but inſtead thereof laid before them in writing, that 90000 l. was lent upon ſir Thomas Cooke's notes (which he produced) with other particulars, which made up the abovementioned balance. That in this note ſir Thomas Cooke owned the receipt of 90000 l. which he had diſburſed and paid for 99197 l. ſtock in the Eaſt-India company for their account; though they did not find any warrant for the ſaid ſum, or any of the ſtock transferred in the company's books for their account,

" My lords and gentlemen,

" I Am come to give you thanks for the ſupplies provided for carrying on the war, in which we are engaged, and at the ſame time to conclude this ſeſſion, which cannot be

The king's ſpeech. Pr. H. C. II. 474.

count, exceeding 18300 l. ſtock the 16th of January 1694-5. The committee of the houſe of commons further reported, that they found a contract, dated the 26th of February 1693, for 200 tuns of ſalt-petre, to be brought home in the ſhip Seymour from India, to pay 12000 l. for the ſame, and 25 l. freight per tun, beſides all charges here. That 2000 l. which was the ſum ſent out to purchaſe the ſalt-petre, was actually paid out of the company's caſh; and that a bond for the remaining 10000 l. was given under the ſeal of the company, payable the 31ſt of March 1695, whether the ſaid ſhip arrived in ſafety or not, with this limitation only, that, if two hundred tun of ſalt-petre be not laden upon the ſaid ſhip, then to repay in proportion to the want thereof; ſo that the reſult of this contract was, that the company ran the adventure of 12000 l. for that, which coſt only 2000 l. and muſt conſequently loſe 12200 l. if the ſhip miſcarried. And on the other hand, the ſeller got 10000 l. clear, without diſburſing or running the hazard of one penny; and, what is yet more, a certain loſs of 9 or 10000 l. would attend it, if the ſhip arrived in ſafety. That the committee, having examined the members of the company concerning this contract, they owned it to be true: that the 2000 l. was paid, and 10000 l. bond given to Mr. Thomas Colſton. That, about the ſame time this contract was made, ſo many of the interlopers, as would ſell their ſhares in the interlopers to the Eaſt-India company, were allowed their firſt coſt, and 25 l. per cent. advance; which was done by giving them credit for ſo much in the Eaſt-India books. That the committee found ſir Samuel Daſhwood, ſir John Fleet, Mr. John Perry, ſir Joſeph Herne, and ſir Thomas Cooke, were preſent at the court of committees, when the orders abovementioned were made; but, they being all members of the houſe of commons, the committee did not think fit to examine them. That the reſt of the committees, who were preſent at making thoſe orders, and moſt of whom had been examined, could give no account of the diſpoſal of the money iſſued out during the time of ſir Joſeph Herne's and ſir Thomas Cooke's government, but only that the ſame was paid for ſpecial ſervice; and that a great part thereof was put into the hands of ſir Baſil Firebraſs: that one of them, viz. ſir Benjamin Bathurſt, ſaid, that ſir Joſeph Herne had the greateſt part of 13932 l. 9s. to diſpoſe of; and ſir Benjamin Bathurſt would have called for an account thereof, but ſir Thomas Cooke deſired he would not: that the company's committee

1695. " be continued longer without manifeſt prejudice to the ends,
" for which theſe ſupplies are given; the ſeaſon of the year
" making it ſo neceſſary for me to be abroad, that it were
" to be wiſhed our buſineſs at home would have allowed me
" to have been there ſooner.

" I

mittee of nine had often called upon ſir Thomas Cooke to give an account to whom he had diſtributed the money he received, which he had ſome time promiſed, and afterwards declined to do; ſo that the ſecret of that ſervice, and the placing of that money, lay principally with ſir Thomas Cooke and ſir Joſeph Herne. That ſir Benjamin Bathurſt finding ſo great a ſum as 30000 l. charged for ſecret ſervices, he had ſome warm diſcourſe with ſir Thomas Cooke about it, to know how it was diſburſed; but ſir Thomas refuſed to give him any particulars, and told him, he ſhould remember he was bound by his oath to the company to keep their ſecrets; to which ſir Benjamin replied, " He was under " the ſame obligation to be " true to the intereſt of the com- " pany." Sir Benjamin Bathurſt further ſaid, that, about April 1694, underſtanding, that they were in want of money, he looked into the caſh-book; which caſting up, he found a conſiderable ſum in caſh, and, taking ſome perſons with him, diſcourſed ſir Thomas Cooke about it, who ſaid, " The " 90000 l. he had received was " to gratify ſome perſons, in caſe " the bill ſhould paſs." As for the contract about ſalt-petre, ſir Benjamin Bathurſt ſaid, that it was made by ſir Thomas Cooke and ſir Baſil Firebraſs; but he knew nothing of it till it came into court.

The committee likewiſe reported, that ſir Baſil Firebraſs, being examined, owned he had received upwards of 16000 l. which was for buying ſhares of ſtocks, and of which the company had allowed; but ſaid, he knew no ground the committee of nine had to ſay, that a great part of the other ſums were put into his hands. He confeſſed, that he invited ſeveral perſons to come into the company, and offered to lay down money for ſeveral; and that, if they liked it not at the year's end, he would then take it off their hands, which offer he made to " members of the houſe of com- " mons" among others; and gave an account to the company of his doing ſo, who promiſed to indemnify him. That, concerning the accommodation with " the interlopers," the company had a letter from the earl of Nottingham, " That it was the " king's pleaſure, that they " ſhould come to an agreement " with the " interlopers." That the propoſal to them was 25 per cent. for bringing in their ſtock to the company, and one half of the profit beſides, which one half of the interlopers accepted; but Mr. Godfrey, and ſome others, ſtanding upon 30 per cent. Mr. Colſton went off with them, and did not come into the company. That Mr. Ward ſaid

it

" I will take care to place the adminiſtration of affairs, 1695.
" during my abſence, in ſuch perſons, on whoſe care and
" fidelity I can entirely depend; and I doubt not, my lords
" and gentlemen, but every one of you, in your ſeveral ſta-
" tions, will be aſſiſting to them. This is what I require of
" you, and that you be more than ordinarily vigilant in pre-
" ſerving the public peace."

Then

it was agreed by " the inter-
" lopers," that only 2000 l. ſhould be employed in buying of ſalt-petre: that Mr. Colſton was to have the advantage of it, which he believed was not for Mr. Colſton himſelf, but " for
" ſome other gentleman:" And laſtly, that the original inducement to the leave of " the in-
" terlopers" going out was that agreement with Mr. Colſton.

On the 26th of March, the commons ordered, " that ſir
" Thomas Cooke, a member
" of the houſe, do give an ac-
" count, how the 8740 l. men-
" tioned in the report, was di-
" ſtributed;" which he refuſing to do, he was thereupon committed priſoner to the Tower of London, and a bill was ordered to be brought in, to oblige him to make the ſaid diſcovery. On the 28th of March, the bill was preſented, received, and read the firſt time; the caſhier of the Eaſt-India company ordered to produce the warrants for the ſums mentioned, in the report to be paid for
" ſpecial ſervice or charges
" general;" and the contract for ſalt petre, offered to the houſe by Mr. Colſton, read and examined. The next day the bill was read a ſecond time, and committed to a committee of the whole houſe, and the caſhier of the Eaſt-India company produced the warrants according to order. On the 30th of March, ſir Baſil Firebraſs delivered in an account of monies by him paid, upon account of the Eaſt India company, which was examined, and ſir Thomas Cooke petitioned the houſe, that he might be heard by council, before the bill againſt him ſhould paſs; which was granted.

Upon the 2d of April, the commons, in a grand committee, went through the bill, to oblige ſir Thomas Cooke to account, made ſeveral amendments to it, and ordered it to be reported the next day. Accordingly on the 3d of April, Mr. Bridges reported the amendments made to that bill, which were agreed unto, and the bill, ſo amended, ordered to be engroſſed. Upon the 6th of the ſame month, ſir Thomas Cooke's counſel having been heard, the bill againſt him was read the third time, and paſſed, and ſent up to the lords for their concurrence.

At the firſt reading of this bill in the houſe of lords the duke of Leeds, lord preſident of his majeſty's privy-council, ſpoke vehemently againſt it, having introduced his diſcourſe by a ſolemn proteſtation of his own innocence and diſintereſtedneſs in this matter; which anticipated apology for himſelf, to-

ge-her

1695. Then the lord-keeper, by his majeſty's command, prorogued the parliament to the 18th of June.

During

gether with the abhorrence of ſo neceſſary a law, began to raiſe great ſuſpicions againſt his grace. On the 13th of April the lords ſent a meſſage to the houſe of commons, to deſire them, that ſir Thomas Cooke, a member of their houſe, and now a priſoner in the Tower, might be permitted and ordered to appear at the bar of the lords, whereupon the commons ordered, that he ſhould attend their lordſhips, as was deſired. Sir Thomas Cooke being brought, upon his petition, to the bar of the lords, declared himſelf ready and very willing to make a full diſcovery, and ſaid, he would have done it before in the houſe of commons, if he could have obtained there an indemnifying vote. Thereupon it being demanded of him, What he would be indemnified from? He anſwered, all actions and ſuits, except from the Eaſt-India company, whom, if he had injured, he would be bound to ſuffer the ſevereſt puniſhment. He deſired alſo to be indemnified from Scandalums; and it being aſked him, Whether he meant Scandalum Magnatum? he ſaid, Yes.

He being withdrawn, the duke of Leeds ſtood up, and declared, "That he was very glad, that "gentleman was come to ſuch "a temper, as to be willing to "diſcover; whereby that bill "was prevented, which his "grace eſteemed of ſo perni-"cious a nature." His grace obſerved to their lordſhips, "How the commons took care "of the reputation of their "houſe, in aſking ſir Thomas "Cooke, "Whether he had "diſtributed any money among "any of their members?" Who "purged them by a ſolemn pro-"teſtation, that he had not." His Grace therefore thought it reaſonable, that the lords ſhould have ſome regard to themſelves; and moved, That ſir Thomas Cooke might be called in, and aſked, "Whether he was wil-"ling, upon oath, to purge all "that ſat there?" This motion being rejected, the lords reſolved, that the bill ſent up from the commons againſt ſir Thomas Cooke ſhould not be proceeded upon, but appointed a committee to draw up a bill to indemnify him.

That committee being withdrawn, and having made ſome progreſs, notice came from ſir Thomas Cooke, that he was afraid he might be miſapprehended as to what he had ſaid concerning a diſcovery, in that he ſaid he was willing and ready; for by ready he only meant willing; and that he ſhould need at leaſt four months to make the diſcovery he promiſed. This was highly reſented by ſome of the lords of the committee, who immediately moved, that the committee might riſe and report to the houſe this freſh matter, and the trifling of ſir Thomas Cooke; ſo that the bill deſigned to oblige him to give an account might now proceed. But ſome lords ſoftened this; and ſir Thomas Cooke begging a favorable treatment, and engaging to diſcover within ſeven days, the

committee

During this ſeſſion, a bill was paſſed for preventing the clipping and counterfeiting the current coin of the kingdom. 1695.

The committee went on with the bill, "to indemnify him from actions, "which he might be liable to, "by reaſon of his diſcovery, "to whom he had diſtributed "ſeveral ſums of money there-"in mentioned, to be received "out of the treaſure of the Eaſt-"India company, or for any "proſecution for ſuch diſtribu-"tion."

This bill having paſſed both houſes by the 19th of April, his majeſty, on the 22d, came to the houſe of lords, and gave his aſſent to it.

As ſoon as the act to indemnify ſir Thomas Cooke was paſſed, the lords, by a meſſage, acquainted the commons, that they had reſolved to nominate twelve of their houſe to be of the committee of lords and commons appointed by the ſaid act, and accordingly nominated;

The earl of Pembroke, lord privy ſeal,
Duke of Shrewſbury,
Earl of Mancheſter,
Earl of Bridgewater,
Earl of Thanet,
Earl of Rocheſter,
Earl of Monmouth,
Earl of Marlborough,
Earl of Torrington,
Lord viſcount Weymouth,
Lord Cornwallis,
Lord Godolphin.

Whereupon the commons reſolved, that twenty-four of their houſe ſhould be nominated to be of that committee, who were as follow:

Sir John Thompſon,
Sir Richard Onſlow,
Mr. Bridges,
Mr. Charles Montagu,
Mr. Henry Boyle,
Sir Henry Hobart,
Sir Thomas Littleton,
Mr. Hutchinſon,
Mr. Boſcawen,
Sir Thomas Pope Blount,
Mr. Clarke,
Mr. Pelham,
The honourable Thomas Wharton, eſq;
Mr. Harley,
Sir Walter Young,
Sir Chriſtopher Muſgrave,
Sir Edward Abney,
Mr. Chadwick,
Sir Herbert Croſts,
Sir Rowland Gwyn,
Mr. Papillon,
Sir William Cooper,
Mr. Brockman,
Mr. Gwyn.

On the 23d of April, ſir Thomas Cooke appeared before the committee, and being ſworn, delivered to them in writing his diſcovery of the diſpoſal and application of the ſums of 670000l. and 900000l. In the account of the 670000l. the ſum of 100000l. was mentioned to be delivered to Francis Tyſſen, eſq; 12000l. to Mr. Richard Acton, 3381. to Mr. Nathaniel Molyneux, 220l. to ſir John Chardin, 350l. to Paul Docminique, eſq; 382l. to captain John Germain, 1000 guineas to colonel Fitz Patrick, 5451. to Charles Bates, eſq; and 400000l. to ſir Baſil Firebraſs; all which forementioned ſums were

1695. The ſtate of the ſilver coin was now extremely bad. There were two ſorts of it; the one was milled, and could not be practiſed on: But the other was not ſo, and was ſubject to clipping; and, in a courſe of ſome years, the old money was every

ſaid to be paid for ſpecial ſervice of the Eaſt-India company, to defray the charges, and acknowledge the pains and ſervices of the aforementioned perſons and their friends, on ſoliciting to prevent a new ſettlement of the Eaſt-India company, and to endeavour the eſtabliſhment of the old; or in conſideration of loſſes they had by the Eaſt-India ſtock. Beſides 500 guineas paid to the attorney-general, 200 to the ſollicitor-general, and 200 more to Mr. Sambrook, for the great trouble and charges in paſſing the charter, and other affairs relating to the company. As for the ſum of 90000l. mentioned in the bill, the ſame was ſaid to be laid out in buying Eaſt-India ſtock of ſeveral perſons, for account of the Eaſt-India company.

The original being read by ſir Thomas Cook, and the committee conceiving it to be imperfect, and not ſuch as the act required, they acquainted him, that they expected a more particular account of thoſe matters. Whereupon ſir Thomas Cooke ſaid, "That as to the firſt ſum "of 100000l. the ſame was paid "to Mr. Tyſſen in tallies, in "November 1692: That he "gave him no directions, how "it ſhould be diſpoſed, but it "was in expectation to have "the charter of the Eaſt-India company confirmed, and "new regulations thereto made. "That it was intended for "the ſervice of the king. "That he could not ſay the "king had it, but believed Mr. "Tyſſen told him, that he delivered it to ſir Joſiah Child, "who delivered it to his majeſty; adding, that it was a "cuſtomary preſent, and that "in king Charles's and other "former reigns, the like had "been done for ſeveral years; "which by the books of the "company might appear. That, "as to the 120000l. next mentioned in the account, that "ſum was paid to Mr. Richard "Acton about the ſame time, "who declared, "he had ſeveral friends capable of doing great ſervice to the company's affairs, and ſeveral of "them would ſpeak with parliament men." That he could "not particularize who they "were, but the end aimed at "was to get an act of parliament. That he knew no man "beſides Mr. Acton who could "give an account, who had that "money: That he intruſted it "wholly with Mr. Acton, with "the privity of ſir Joſiah "Child, who recommended "Acton as an honeſt and able "man, and a perſon capable "of doing the company ſervice; "the court having given him "power; as he conceived, to "diſpoſe of the money by another hand as well as by his "own. That the inducements "for giving this money were "fears of the interlopers going "out,

every year ſo much diminiſhed, that it at laſt grew to be leſs than the half of the intrinſic value; thoſe, who drove this trade, were as much inriched, as the nation ſuffered by it: When it came to be generally obſerved, the king was adviſed 1695.

" out, and ſubſcriptions for a " new company going on; by " which they apprehended the " company would be ruined. " That there was a bill at that " time for another Eaſt-India " company; and that the king " had ſent a meſſage to the " houſe of commons to ſettle the " Eaſt-India trade. That ten " thouſand pounds was advan- " ced by Acton himſelf, and " not repaid him in ſome " months after; which money " he believed Acton paid away " the ſame ſeſſion; and that the " other two thouſand pounds to " Acton was for intereſt, and " his pains and expences, which " were great. That Acton did " ſay, " He could tell ſome " perſons employed in that af- " fair: That he did underſtand, " that this money was to be laid " out for promoting their affairs " in parliament: That he could " not ſay to whom it was given, " but underſtood it went no " further than the houſe of " commons; and that he found " no good fruit by ſuch diſtri- " bution." As to the 338l. paid " to Mr. Molyneux, ſir Thomas " Cooke ſaid, that Mr. Moly- " neux told him, this money " was to be diſpoſed of to the " lord Rivers; but ſince his " confinement Molyneux had " told him, that my lord never " had it, and he had made uſe " of it himſelf. As to the " thouſand guineas paid to Mr. " Fitz-Patrick, deceaſed, that " Fitz-Patrick told him, he had " a great intereſt with the lord " Nottingham; that he would " try what he could do; and " he did not doubt but he might " accompliſh great ſervices, pro- " vided he might have ſuch a " ſum of money. That he be- " lieved Fitz-Patrick kept the " money himſelf; and that there " was a promiſe of a further " ſum, if the intended act of " parliament did not paſs. That " the 515l. was to be paid to " Mr. Charles Bates, when the " charter was ſettled, and was " paid accordingly in October " 1693. That he himſelf had " no acquaintance with him; " but ſir Baſil Firebraſs told him, " that Bates had acquaintance " with ſeveral lords, and named " the marquis of Caermarthen " now duke of Leeds. That, " as to the firſt 10000l. paid " to ſir Baſil Firebraſs, it was " paid to him about Novem- " ber 1693. That it was al- " ways his apprehenſion, that " ſir Baſil Firebraſs kept it for " himſelf, to recompenſe his " loſſes in the interloping trade. " And as to the ſeveral other " ſums, which compleat the fur- " ther ſum of 30000l. paid to " ſir Baſil, that they were paid " at one time, though depend- " ing upon ſeveral contracts; " and that the reaſon, why the " 30000l. was in ten ſeveral " contracts, might be becauſe " ſir Baſil might have occaſion " to diſtribute it to ſeveral per-

1695. adviſed to iſſue out a proclamation, that no money ſhould paſs for the future, by the tale, but by the weight, which would put a preſent end to clipping. But Seymour, being then in the treaſury, oppoſed this; he adviſed the king to look on, and let that matter have its courſe: The parliament would in due time take care of it; but, in the mean while, the badneſs of money quickened the circulation, while every one ſtudied to put out of his hands all the bad money; and

" 382l. to captain Germain, that " it was paid him to bring him " off from the interlopers, and " engage him in the Eaſt-India " company's intereſt. Laſtly, " as to the 90000l. ſir Thomas " Cooke declared, that it was " 99197l. ſtock bought for " 90000l. of ſeveral perſons for " the uſe of the company, to " make good the contracts with " ſir Baſil, if he ſhould chuſe to " accept ſtock: That the ſtock " was transferred to ſeveral " perſons to the company's uſe; " that he was accountable for " it; that they had his own ob- " ligation for the ſame; that " part of the ſtock was tranſ- " ferred to the company; and " that the other part was ſold " to their uſes, and they had the " money."

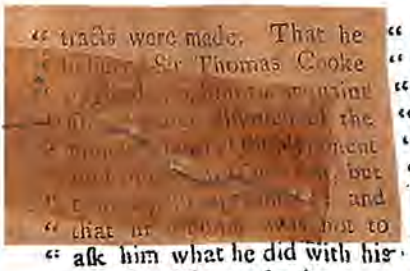
Mr. Comptroller Wharton having, on the 24th of April, reported this examination to the houſe of commons, ſome debates aroſe about the ſame; and one of the members informed the houſe, that the earl Rivers proteſted he never received a penny; and though he was now of another houſe, he had the ſame eſteem for the commons as heretofore; and that, according to his lordſhip's motion, the lords had ſent for Mr. Molyneux to be examined. Another member obſerved that, as to all the little ſums, ſir Thomas Cooke knew well to whom they were given; but he could never learn to whom ſir Baſil Firebraſs diſtributed the monies he had received; for ſir Baſil would not give him an account of that matter, though often aſked by him to do it. That, on the other hand, Acton would have told ſir Thomas, but he would not hear him. A third member ſaid, that ſir Thomas Cooke's account contained nothing but generals; not one date, not one time, &c. That as to ten thouſand pounds to Mr. Acton, he offered to tell him the particulars, and he was unwilling to hear him, but did not doubt but Acton would give a particular and ſatisfactory account of all diſtributed by him. And yet, in the ſame moment being aſked where and in what condition this Acton was, he declared, " he was a diſtracted " man, and not able to give " the houſe any account at all." A fourth member ſaid, " No " man is innocent, if every " man be guilty. We cannot " be innocent, if we do not lay " our hands on theſe men, that " have betrayed us and the " com-

and this would make all people the readier to bring their cash into the Exchequer; and so a loan was more easily made. The badness of the money began now to grow very visible; it was plain, that no remedy could be provided for it, but by recoining all the specie of England; and that could not be set about, in the end of a session. The earls of Rochester and Nottingham represented this very tragically in the house of lords, where it was not possible to give the proper 1695.

" company; and I hope, them-
" selves. Let us go as far as
" we can, and then we shall not
" be to blame." And he moved, that Firebras and others might be ordered to attend the house the next day. Another member seconded the motion; and likewise moved, that they forget not a member of their own, who was accused for receiving a considerable sum.

In the midst of these debates there came a message from the lords, desiring a conference, which was immediately held; and therein their lordships acquainted the commons, that they had sent for Mr. Acton and several others, in order to have them examined; that they had intimation, that sir Basil Firebras was near at hand, and would appear; and that their lordships were of opinion, that all future examinations of any of the persons mentioned in the report of Sir Thomas Cooke's account be had before the committee of both houses, appointed to receive sir Thomas Cooke's examination; to which the commons agreed. Accordingly, the committee met the same day in the Exchequer chamber, and sir Basil Firebras being interrogated touching his receipt of 10000l. charged on him by sir Thomas Cooke, and touching the distribution thereof, he deposed, " That the first 10000l. was " given to him as a gratuity " for his losses, some time be- " fore the charter of the East-In- " dia company passed: That the " sum of 10000 l. was received " by him, by virtue of a contract " with sir Thomas Cooke, for " favours and services done: " That the stock, at the time " of the contract valued at 150l. " per cent. falling afterwards " to 100 per cent. the difference " was 30000l. which they made " up to him. That the reason " of the fall of the stock was " ships not coming in; and " that, if that had not hap- " pened, he had gained as much " as the 30000l. paid him. " That he was positive, that " the 10000l. and 30000l. were " for himself, and for the use " of no other person whatsoever, " except 500l. paid to Mr. " Powell, because he had good " interest amongst the interlo- " per, and was instrumental in " reconciling differences. That " he paid no part of the said " sums towards a charter or act " of parliament, nor made any " promise so to do, though he " had several discourses with sir " Thomas Cooke about using " his endeavours to procure a " new charter, it being his in- " terest so to do, after the con-

1695. proper remedy; it produced only an act, with ſtricter clauſes and ſeverer penalties againſt clippers; this had no other effect, but that it alarmed the nation, and ſunk the value of our money in the exchange; guineas, which were equal in value



" tracts were made. That he " were paid after the charter
" [illegible] Sir Thomas Cooke " for reſtoring the East-India
" [illegible] " company paſſed; the other
" [illegible] " for 3000 guineas after the
" [illegible] " charter for regulation paſſed.
" [illegible] " That he had theſe notes from
" [illegible] " ſir Thomas Cooke, and was
" that [illegible] " accountable to him for the
" aſk him what he did with his " ſame. That he believed ſir
" own." Afterwards the com- " Thomas Cooke knew how
mittee aſked ſir Baſil, " What " theſe notes were to be diſ-
" particular ſervice he did, or " poſed of; and that he told ſir
" was to do, for procuring a " Thomas Cooke, that Mr.
" new charter?" To which he " Bates had acquaintance with
anſwered, " That he was un- " ſeveral lords, naming the
" willing to take too much upon " lord preſident, and others.
" himſelf; that he thought he " That the deponent could not
" did great ſervice to the com- " tell whom this money was de-
" pany in ſollicitation; but " ſigned for, or what Bates did
" wiſhed he might anſwer to " with it, for that Bates would
" that at ſome other time, be- " not deal on ſuch terms of tell-
" ing then much indiſpoſed as to " ing names. That Bates in-
" his health."

The next day ſir Baſil Fire- " troduced him ſeveral times to
braſs, being again examined, " the lord preſident, who made
farther depoſed, " That, hav- " ſome ſcruples in point of law,
" ing had a treaty with Mr. " which were removed by the
" Bates, whom he thought able " attorney-general. That one
" to do ſervice in paſſing the " day laſt week the 5000 guineas
" charter, and to have acquain- " were offered by Bates back
" tance with ſeveral perſons of " again to him, Bates ſaying,
" honour, he gave two notes for " that this might make a noiſe;
" 5500 guineas to Mr. Atwell, " that, if ſir Thomas Cooke
" payable to Mr. Bates, or " thought it too much, he would
" bearer. That one note was " give it him again; that on
" for 3000l. and the other for " Tueſday laſt 4400 guineas was
" 2500 guineas. That he put " brought to this deponent, and
" the notes into Bates's hands, " that the other 500 guineas
" who told the deponent, that " were ſtill in Bates's hands.
" he would deal with him for " That ſir Thomas Cooke
" himſelf; and if the buſineſs " ſcrupled to take back his mo-
" were done, he would keep " ney at firſt, but afterwards
" the notes, elſe deliver them " conſented to it the morning
" again. That the 2500 guineas " when he was brought up be-
" fore this committee. That

" he

value to twenty-one ſhillings and ſix-pence in ſilver, roſe to thirty ſhillings, that is to ſay, thirty ſhillings ſunk to twenty-one ſhillings and ſix-pence. This public diſgrace, put on our coin, when the evil was not cured, was in effect a great point 1695.

" he believed ſir Thomas had a " double account; the one made " up with this ſum, the other " without it. That Bates would " have paid back the whole; " but Sir Thomas Cooke ſaid, " the account would not be " even, if the 500 guineas were " brought into that account. " That this was no part of the " 40000l. before-mentioned to " be paid to this deponent; " which ſum, he ſaid, he al- " ways underſtood to be wholly " for his own uſe and benefit. " That they found great ſtops " in the charters, which they " apprehended proceeded ſome- " times from my lord Notting- " ham, and ſometimes from " others. That colonel Fitz- " Patrick received 1000 guineas " on the ſame terms as was with " others, if the charter paſſed. " That he pretended great in- " tereſt with the lord Notting- " ham, and that he could have " information from the lady " Derby, how the queen's " pleaſure was. That colonel " Fitz-patrick ſaid, He would " try to prevail with lord Not- " tingham for 5000 guineas up- " on paſſing the charter, and " 5000l. on the act of parlia- " ment; but that the earl of " Nottingham abſolutely refu- " ſed to take it. That the de- " ponent heard, that a note, " ſigned by ſir Joſiah Child " and ſir Thomas Cooke, for " 50000l. was lodged in Tyſſen's " hands for about a year, to be " paid in caſe the act paſſed; " and that it was refuſed, as he " underſtood by the earl of " Portland, to whom Tyſſen " had offered it.

Mr. Richard Acton being examined before the ſame committee, depoſed, " That he re- " ceived the ſums of 10000l. and " 2000l. of ſir Thomas Cooke. " That he told ſir Thomas he " had friends, who would take " pains to do the company ſer- " vice; but they would have " 10000l. That he had 2000l. " for his trouble in attending " two ſeſſions; and that, if the " bill for a new company had " paſſed, he was to have had no- " thing. That he did not diſ- " tribute the 10000l. to mem- " bers, but to thoſe, who had " intereſt with members. That " ſome of them, to whom he " gave money to be diſtributed, " were Mr. Craggs, with whom " this deponent was concerned " in clothing the army, (and " who had acquaintance with " colonels in the houſe, and " ſome northern members) Mr. " Wallis, Mr. Ridley, Mr. " Docminique, &c. and that " colonel Goldwell and colonel " Dean, who were ſince dead, " were the only perſons, whom " he himſelf gave money to."

The next day, April 26th, the committee of both houſes proceeded upon the examination of the reſt of the perſons mentioned in their report; and Mr. Bates being ſworn, depoſed, " That ſir Baſil Firebraſs did " apply himſelf to him, to uſe

1695. point carried, by which there was an opportunity given to ſink the credit of the government, and of the public funds; and it brought a diſcount of above 40l. per cent. upon tallies.

After

" his intereſt for obtaining a " charter for the Eaſt-India " company, the old charter being " [illegible] and told him they " [illegible] " opinion publicly [illegible] " the charter, and thought the " forfeiture an hardſhip. That " having received notes for five " thouſand five hundred guineas, " he told the lord preſident what " ſum he had, and would have " paſſed it to his lordſhip, but " he refuſed it. That there- " upon, in regard he could not " very well tell money himſelf, " he aſked leave of my lord, " that his ſervant might tell the " money; to which his lord- " ſhip anſwered, he gave leave; " and accordingly monſieur Ro- " bart received the money. " That after monſieur Robart " had received it, he brought " the ſame to the deponent, in " whoſe poſſeſſion it remained " till he paid four thouſand " four hundred guineas thereof " back again to ſir Baſil Fire- " braſs, which, as he takes it, " was upon Monday or Tueſday " laſt." And being examined again as to the ſame matter, he ſaid, " That theſe four thouſand " four hundred guineas paid " back to ſir Baſil were in four " bags, with one thouſand one " hundred guineas in each, " brought to him by monſieur " Robart, within a month laſt " paſt. As to the 600 guineas " remaining of the 5020, he at " firſt ſaid he had ſpent the " ſame; and being afterwards " examined as to the ſame mat- " ter, ſaid, they were at home " in his ſtudy, but he may have " ſpent ſome. That the reaſon " why he paid back the four " thouſand four hundred guineas " was the noiſe that it made, " and that people might think " he had not deſerved them. " That the whole five thouſand " five hundred guineas were for " his own private uſe, and that " he might have given them to " his footman."

Sir Baſil Firebraſs, being once more examined, depoſed, " That " ſir Thomas Cooke and others " obſerving him active, and to " have intereſt enough among " noblemen, applied themſelves " to him to endeavour the pro- " curing a new charter. That " ſir Thomas Cooke was ap- " prehenſive, that it ſtuck with " the duke of Leeds, and told " the deponent, that ſome way " muſt be found out to the " duke. That he thereupon ap- " plied himſelf to Mr. Bates, " who would not pretend to " talk with the duke, but ſaid, " the deponent muſt tell him " what the company would do. " That he told Mr. Bates, he " thought a preſent might be " made of 2 or 3000 l. That " Mr. Bates told him, he went " to St. James's, and ſaid, he " had ſpoke with his friend, " and that more had been of- " fered by the other ſide; and

" that

After the ſeſſion was over, the affair of the coin was conſidered by the council; and, as the late act againſt clipping was far from affording a redreſs of that grievance, it was conſulted what methods ſhould be taken for remedying ſo great an abuſe. Some p[illegible]poſed the recoining the money, with 1695.

Conſultations in the council about the coin. Burnet.

" that at another time Bates [illegible] friend would have
" ſaid, that 5000l. had been [illegible]e five hundred
" offered him by another hand [illegible]mſelf firſt [illegible]ir
" on the ſame ſide. Upon which [illegible] copy of Mr.
" the deponent did not come up " Ba[illegible] note for
" to the market. That he ac- " three [illegible]and guineas, which
" quainted ſir Thomas Cooke " he thereby promiſed not to
" with this propoſal, who ſaid, "call for till the charter ſhould
" if it was inſiſted on, it muſt " paſs. The original Mr. Bates
" be done; and ſo it was agreed " had back, when the money
" to offer 5000 guineas. That " was paid, and the deponent
" Bates then ſaid, this was no- " had not taken a copy of the
" thing to him; he ought not " counter-note for 2500 guineas.
" to be employed for nothing. " He further ſaid, that, after
" That therefore the deponent " the charter was paſſed in Oc-
" was forced to go back to ſir " tober, he ſent to Mr. Bates,
" Thomas Cooke for new or- " that he might call for the
" ders; and ſo 500 guineas " money; and he called for it
" were given to him beſides. " in two or three days. That
" That at firſt Bates ſaid, He " the other note was paid in a
" would undertake no farther " week after the paſſing the
" than that the duke ſhould not " ſecond charter: That from
" oppoſe, but be ſilent, becauſe " the time the notes were given
" he did not know but the duke " they had free acceſs to the
" had engaged himſelf, by hav- " lord preſident, and found him
" ing ſpoke on the other ſide. " eaſy and willing to give the
" That the deponent did except " company his aſſiſtance: That
" againſt this, becauſe he would " Mr. Bates was ſhy, and called
" not let the company's money " it his friend at St. James's.
" go for nothing; and it would " That the condition of one
" reflect upon him, if nothing " draught of a counter-note,
" appeared to be done for it. " which Mr. Bates brought, was
" That it was then agreed, that " worded, " In caſe the lord
" if the duke did act in favour " preſident did not aſſiſt the
" of the company, he ſhould " company in paſſing the char-
" have two or three thouſand " ter;" to which this deponent
" guineas, and Bates five hun- " made an alteration, by put-
" dred guineas to himſelf. That " ting out his lordſhip's name,
" the deponent would have put " and making it not payable,
" off Bates's 500 guineas to the " in caſe the charter ſhould not
" laſt, to engage him to take " paſs, or to that effect. That
" the more pains; but Bates " about a week before the money

1695. with such a raising the value of the specie, as should balance the loss upon the old money, that was to be called in. This pleased so many, that it was not easy to correct an error, which must have had very bad effects in the conclusion; for the only fixed standard must be [illegible] intrinsic value of an ounce of

[illegible] money was bro[illegible]
[illegible]
[illegible] elf.
[illegible] an,
" [illegible] at
" his own [illegible] he had
" not the money [illegible] him, but
" he would fetch it; and that
" the money he thought was in
" silver; but afterwards told the
" deponent it was only a mi-
" stake, and he had brought it
" in gold, which by computa-
" tion came to the same sum.
" That when this deponent told
" him, that sir Thomas Cooke
" would not take the [illegible]
" back, Bates said, "he could
" give no answer to it till he
" had spoke with his friend."
" That on Monday last five
" hundred guineas were left at
" his house by Mr. Clive, a
" friend of sir John Trevor's,
" who said, he brought it from
" sir John Trevor, to whom sir
" Thomas Cooke had before
" paid it with his own hands,
" under colour of an arrear for
" four or five years, as he had
" been commissioner of the great
" seal, and that the deponent
" was present, when sir Thomas
" Cooke gave it; and that there
" was at another time two hun-
" dred guineas ordered to be
" given to the said sir John
" Trevor, as a new year's gift,
" by sir Joseph Herne. That as
" to 20000l. of the 30000l. be-
" fore-mentioned, the same sums
" were not actually paid till
" since Lady-day. And as to
" the other 10000l. he hath it
" now in stock in the East-In-
" dia company. That, as to
" 5000l. part of the said 30000l.
" he did design one third there-
" of to Mr. Edward Seymour,
" one third to sir John Trevor,
" and one third to Mr. Guy:
" That he offered the same to
" Mr. Guy, but the latter told
" him, they did not desire to
" meddle with the stock, but
" would do any service they
" could to promote the getting
" of the charter. And sir Ed-
" ward Seymour, afterwards
" meeting with the deponent,
" chid him for making that pro-
" posal, and told him, if he
" made any more such proffers,
" he would never have any thing
" more to do with him. That
" the deponent told Mr. Guy,
" that the advantage to them in
" passing the charter and act of
" parliament would be worth
" 10000l. among them. That
" he intended a distribution of
" all the 30000l. in the manner
" following, viz. to sir Edward
" Seymour, sir John Trevor,
" and Mr. Guy, 10000l. in
" case the charter and act of
" parliament passed; to the mer-
" chants interlopers 10000l. and
" to himself 10000l. That he
" thought himself obliged in
" honour to pay two thirds of
" the 5000l. when received to
" sir John Trevor and Mr. Guy;
" the

of ſilver; and it was a public robbery, that would very much prejudice our trade, not to keep the value of our ſpecie near 1695.

" the other third, which he " intended for ſir Edward Sey- " mour, he kept for himſelf. " That ſir John Trevor did ſome " time afterwards give the de- " ponent ſome hints of his ex- " pectation."

Sir Joſiah Child being examined, ſaid, " He never diſpoſed " of forty pounds of the com- " pany's money to his remem- " brance, always affecting ig- " norance in that manner; that " he did recommend Mr. Acton " as being an honeſt man, and " thought he might do ſervice " to the company in parliament, " becauſe of his acquaintance. " That he did recommend it, " that a preſent of fifty thouſand " pounds ſhould be made to the " king, if his majeſty would ſo " far wave his prerogative, that " an act of parliament might be " paſſed for ſettling the compa- " ny; but Mr. Tyſſen told him, " the king would not meddle in " that matter. That he knew " nothing of the forty thou- " ſand pounds paid to ſir Baſil " Firebraſs. That there was a " kind of committee of twenty- " five perſons, who ſat de die in " diem, to deſtroy the compa- " ny; and that he told ſir Tho- " mas Cooke, that he thought " ſir Baſil the fitteſt perſon to " divide them."

Mr. Atwell produced his caſh-books, by which it appeared, that, on the 9th of October 1693, Mr. Bates had received five hundred and forty-five pounds, ſix ſhillings, and three pence; on the 10th of that month, two thouſand one hundred and eighty-one pounds, five ſhillings; and on the 16th of November, three thouſand two hundred and ſeventy-five pounds: and he ſaid that the money was paid by order of ſir Thomas Cooke.

Mr. Bates, being again examined, ſaid, he believed the money might be paid as the books expreſſed; and further owned, that he had not four thouſand four hundred guineas in his houſe on Sunday night laſt, but that the four thouſand four hundred guineas, which he paid back to ſir Baſil Firebraſs, were brought to him by monſieur Robart, on Tueſday morning laſt at eight o' clock.

Mr. Tyſſen, being again examined, ſaid, that ſir Thomas Cooke and ſir Joſiah Child gave him a note under their hands for fifty thouſand pounds, which was intended to be preſented to the king, if his majeſty would paſs an act of parliament as they ſhould deſire. That he acquainted the lord Portland with the company's intention to make ſuch a preſent, who told this deponent, that the king would not meddle with it. And being aſked, whether he had offered the ſame to the lord Portland, he denied he had ſo done, ſaying, if he had, he muſt never have ſeen his face more. That, when he was examined before the houſe of commons, he did not take it that the ten thouſand pounds given to his majeſty was included in the ſum charged upon ſir Thomas Cooke, being before the date of any order for that money.

Mr.

1695. near an equality with its weight and fineneſs in ſilver. So that the difference between the old and new money could only

Mr. Cragg, being examined, gave in an account how he had diſpoſed of and applied four thouſand five hundred and forty pounds with which he was charged by Mr. Grafton; and declared that he had never paid any money to any member of parliament.

Mr. Comptroller Grafton, on Saturday the 27th of April, made a report to the houſe of commons from the committee of both houſes, of the examinations taken by them; which being read, one of the members ſtood up, and urged the neceſſity of ſearching this matter to the bottom, and to provide laws for the future, to prevent the members of the houſe taking money: that all imaginable endeavours had been uſed to ſuppreſs all diſcoveries: that ten thouſand pounds had been pretended to be given to the king, and fifty thouſand pounds offered to buy an act of parliament, or gain their charter: that the facts proved themſelves; and that Mr. Bates appeared an unfortunate perſon, whom the care of his friend (the duke of Leeds), and the ſenſe of his oath, had cauſed to make ſuch contradictions. He moved the houſe therefore, that they would put the matter into ſuch a method as became their juſtice, and as the ſhortneſs of their time would allow. Another member ſaid, that there were never greater and more general inſtances of corruption; he inſiſted on the neceſſity of a ſpeedy remedy, and that it was very fit that the houſe ſhould let the world ſee that they were in earneſt. He put them in mind of the practices and arts that had been uſed to ſtop their diſcovery, ſo that what they had was got, as it were, by the utmoſt force and conſtraint; at which they could not wonder, when they now found ſo great a man at the bottom. "But there "is (added he) no perſon in a "poſt ſo high, that this houſe "cannot reach; no man's prac- "tice or art ſo deep, that this "houſe cannot diſcover. Here "have been all imaginable en- "deavours uſed to obſtruct the "enquiry. Firſt, his majeſty's "name was made uſe of at the "committees, with hopes, per- "haps, that might ſtop any fur- "ther ſearch; and, if it were "made uſe of there, you may "reaſonably expect it was made "uſe of elſewhere. But that "appeared to be ſo far from "being a matter of reflection on "the king, that Sir Joſiah Child "often complained of it as a "rudeneſs to his majeſty, that "what other kings had yearly "as a preſent, they had not of- "fered to his majeſty in three "years. It was indeed, if not a "matter of right, a matter of "cuſtom. As for the earl of Port- "land, who may be named for "his honour on this occaſion, "when the great ſum of fifty "thouſand pounds was preſſed "upon him, he abſolutely re- "fuſed it, and told him, He "would forever be their enemy "and oppoſer, if they offered "any ſuch thing to him. Hav- "ing thus mentioned the inno- "cent, I muſt, continued he, "ſay

only be ſet right by the houſe of commons, in a ſupply to be given for that end. The lord keeper Sommers did indeed propoſe 1695.

" ſay ſomewhat of the guilty. " A ſtop having been put, the " duke of Leeds muſt be applied to. Certainly there never " was a more notorious bribery, " and that in a perſon whom " we might have expected to " have been free from ſuch a " crime, if you reſpect either " the greatneſs of his place, or " of his former obligation. It " is fit to ſpeak plainly on ſuch " occaſions; the houſe ought to " endeavour to remove ſuch a " perſon from the king's coun- " cil and preſence. What ſecu- " rity can the nation have, when " we are bought by and ſold to " one another? We have ſeen " our deſigns defeated, our at- " tempts betrayed; and what " wonder is it? Can any man " think it more ſtrange that our " counſels ſhould be ſold abroad, " than that charters ſhould be ſold " at home? Certainly, a man " may reaſonably believe, that " he who will ſell the ſubjects, " will ſell the kingdom if he can " have a ſufficient bribe. What " prince can be ſafe in ſuch " counſels, which are given for " private advantage? Several " propoſals (ſaid he in the con- " cluſion) may here be offered " for remedy. One, that this " houſe ſhould addreſs his ma- " jeſty to remove the duke of " Leeds; but, with ſubmiſſion, " an addreſs is too mean, too " low a thing for the houſe to " do at this time, and upon ſuch " an occaſion. I therefore move " that we may lodge an im- " peachment, viz. That Tho- " mas duke of Leeds, lord pre- " ſident of his majeſty's council, " be impeached by this houſe: " or thus, That Thomas duke " of Leeds be impeached by " this houſe of high crimes and " miſdemeanors, and particu- " larly of corruption in taking a " bribe of five thouſand guineas " to obtain a charter and regu- " lation for the Eaſt India com- " pany."

Though this ſpeech was approved of in the main, yet ſome expreſſions in it were thought too reflecting; and another member ſtood up and ſaid, " He wondered the gentle- " man, who ſpoke laſt, ſhould " ſay that, which he hoped he " did not believe, That that " lord ſhould have ſold our " counſels to France." Upon this the other roſe again, and ſaid, " It was with ſome une- " neſs he ſtood up, for he did " not take pleaſure to rake into " a dunghill. That he was far " from ſaying the duke had be- " trayed our counſels, but argu- " ed only from the poſſibility. " That it was as reaſonable to " believe one as the other: and " that, when honour and juſtice " were not the rule of men's ac- " tions, there was nothing in- " credible that might be for " their diſadvantage."

Several members ſeconded the motion for an impeachment, adding, " That ſuch actions as theſe " were a blemiſh, if not a ſcan- " dal to the revolution itſelf." And it being demanded, " By " what law it was a crime to " take money at court?" It was anſwered, " That if there " was

1695. propoſe that, which would have put an effectual ſtop to cliping for the future; it was, that a proclamation ſhould be prepared

" was not a law, it was time " there ſhould be a law to pre- " vent it: that the law of God " was againſt the duke, and " broke by him: that he had " [illegible] an oath as a privy- " [illegible] that juſtice is not " [illegible] common law: " [illegible] ments to " [illegible] It was again [illegible] doubtful [illegible] ter in this repo[illegible] ment; and therefo[illegible] houſe went to an impe[illegible] they ought to put the queſtion upon the report, and ſee whether it be a crime? Thereupon ſome of the duke's friends objected, " That there was no law, and " ſo no tranſgreſſion;" and moved for excuſing him. But the queſtion being put, " That there " did appear that there was in " the report made from the com- " mittee of both houſes, ſuffi- " cient matter to impeach Tho- " mas duke of Leeds, lord pre- " ſident of his majeſty's coun- " cil, of high crimes and miſ- " demeanors," it was reſolved in the affirmative; and Mr. Comptroller Wharton was ordered to go up to the lords, and at their bar, in the name of the houſe and of all the commons of England, to lodge the ſaid impeachment, which in due time they would make good.

About the ſame time that Mr. Comptroller made the report to the commons from the committee of both houſes, the lord Privy-ſeal made the report to the lords; after hearing of which the duke of Leeds ſaid, " That, as he had " formerly proteſted himſelf to " be clear in this matter, ſo he " ſtill denied upon his faith and " honour, that he was guilty of " any ſuch corruptions as were " ſuggeſted againſt him; and " that, if the whole truth were " laid open, it would tend to his " honour and advantage. That " he would be very free in tel- " ing their lordſhips, now before " hand, all that paſſed, in which " he was any ways concerned. " That Mr. Bates introduced ſir " Baſil Firebraſs to him, and that " he had conferences with ſir " Baſil upon the ſubject of the " Eaſt-India company, which ſir " Baſil was concerned for. That " ſome time after Mr. Bates in- " formed him, that he was to " have a ſum of money of ſir " Baſil Firebraſs, and deſired his " lordſhip to lend him one of " his ſervants (Mr. Bates keep- " ing but a footman) to receive " the money, and ſo he lent " him monſieur Robart. That " he knew nothing of the ſum, " but afterwards Mr. Bates came " to him, and told him he had " received five thouſand guineas; " and that in acknowlegement " of the many favours he had " received from his lordſhip's " hands, he humbly deſired him " to accept the ſame; which he " refuſing, Mr. Bates preſſed " him earneſtly to take one half " or a quarter; which he ſtill " refuſed, declaring he would " not touch a penny of them. " That however he told him, " ſince he had taken them, he " thought there was no need of " returning them; that they " were

prepared with ſuch ſecrecy as to be publiſhed over all England on the ſame day, ordering money to paſs only by weight; but 1695.

" were his own, and wiſhed him
" good luck with them. And
" thus (concluded his grace) I
" I was but a ſhadow to Mr.
" Bates."

The duke had ſcarce ended his ſpeech, when private notice came to the houſe of lords, that the commons were proceeding to an impeachment againſt him. Whereupon he left the houſe in great haſte, and going to the door of the houſe of commons, deſired to be admitted to be heard. This being granted, and a chair placed for him within the bar, his grace ſat down, put on his hat, then roſe, uncovered himſelf, and made a ſpeech to the houſe, wherein in the firſt place, " he thanked them heartily for this favour of hearing
" him; and then proceeded, declaring his innocence, and that
" he had attended ſooner, if he
" had had the leaſt intimation
" what the houſe was upon.
" That the occaſion of his coming was from the two votes
" upon the report from the committee of both houſes. That
" he had done all he could to be
" informed of the particulars,
" but could not. That, hearing
" of a report, a monſtrous long
" report, and finding himſelf
" concerned, he was earneſt to
" be heard, to the end he might
" not lie under the diſpleaſure of
" either or both houſes. He
" ſaid, it is a bold word, but it
" is a truth, This houſe had not
" now been ſitting but for me.
" That he had been formerly
" purſued by the houſe in two
" points, for being for the French
" intereſt and for popery: that
" he had then, if he might have
" been heard, juſtified himſelf,
" and hoped he had ſince, and
" would by all the actions of
" his life. That one Firebraſs,
" by the means of Mr. Bates,
" was introduced to him. That
" he had long known Mr. Bates;
" and, if he was not much de-
" ceived in him, he could not
" believe that gentleman would
" have tranſacted ſuch a matter,
" but upon it. That the evi-
" dence is but an hearſay, and
" he hoped they would not con-
" demn on hearſay. That he
" would not take up their time
" by entering into particulars.
" That there was a money part
" as well as a treaty part. That
" as to the money part, much
" of it was falſe, and what was
" true he made no ſecret. That
" he could and did ſay upon his
" faith and honour, that neither
" directly nor indirectly he ne-
" ver touched one penny of the
" money. That he obſerved a
" great deal of pains had been
" taken to hook him in this mat-
" ter by a ſide-wind. That this
" Firebraſs thought his merit
" would deſerve ten thouſand
" pounds, and thirty thouſand
" pounds. That theſe five thou-
" ſand five hundred guineas were
" no part of the forty thouſand
" pounds. That the witneſſes
" were called in by the commit-
" tee; but that Firebraſs, after his
" firſt hearing, deſired to be call-
" ed in again himſelf, contrary
" to all rules; which ſhewed him
" at leaſt a very willing witneſs.
" That he had a thread, which
" he

1695. but that, at the ſame time, during three or four days after the proclamation, all perſons in every county, who had money, ſhould

" he hoped to ſpin finer, and " make it appear that this was " a deſign laid againſt him long " before the naming this com- " mittee. That warning had " been given him ſome time " ſince, that this matter would " [illegible] againſt him; and " [illegible] been told he " [illegible] ſhould " [illegible] peace, in the [illegible] " ed no favour [illegible] " able juſtice, [illegible] " were ſenſe might [illegible] " what would bear a [illegible]id " one. That, if it might be, " the houſe would reconſider " what was done, or at leaſt " preſerve him from cruelty, " and not let him lie on the rack, " and be blaſted, until a parlia- " ment ſhould ſit again; and " that, if they would proceed, " it might be ſpeedily, for he " had rather want counſel, want " time, want any thing, than " lie under their or the nation's " diſpleaſure; and that, if they " would not reconſider, the mat- " ter might be brought to a de- " termination, and that he might " at leaſt have their ſpeedy juſ- " tice."

This ſpeech being ended, and the duke withdrawn, Mr. Comptroller, attended by many members, went up to the lords with the impeachment; and at the ſame time it was propoſed in the houſe of commons, that the articles ſhould be forthwith drawn up; and thereupon the committee, which were joined with the lords, were ordered to withdraw to prepare the ſame.

Afterwards the houſe of commons took the duke's ſpeech into conſideration, and one of the members ſtood up and ſaid, " That by this noble duke's " ſpeech, the point was now, " whether the houſe would ar- " raign the committee of both " houſes, or go on with the im- " peachment? That the duke, " when he came to the matter, " would not enter into particu- " lars, but paſſed it over with " excuſe of wanting time. That " he made no excuſe as to the " facts. That his argument of " a contrivance was, that the " five thouſand guineas charged " on him was no part of the " forty thouſand pounds which " Firebraſs was to account for. " That this was rather an aggra- " vation of the crime; for ſir " Thomas Cooke had a double " account, one with, and an- " other without the five thou- " ſand guineas; which was an " indication that, if there was " a contrivance, it was not by " the committee, but with ſir " Thomas Cooke, to ſtifle the " enquiry, and conceal the cor- " ruption. That the ſpeedy ju- " ſtice of the houſe was to be " wiſhed and deſired; and that, " if there was ſuch a contriv- " ance, ſuch a thread, as was " mentioned by the noble lord, " it was not to be doubted but " that houſe where he was im- " peached, would clear him." Another member moved, " That " a committee might be ap- " pointed to withdraw, and con- " ſider what was to be done in " order to gratify the noble duke

" by

[illegible] in to be told and weighed; and the difference was to be registered, and the money sealed up, to the end of 1695.

"by speedy [illegible] and observed that his friend Mr. Bates's contradicting himself was more than the evidence of Firebrass. That monsieur Robart was a servant of my lord president's, and was fled. That Mr. Bates said he kept the money in his house: that sometimes he had spent it, sometimes it was in his closet: that he did own the money was not in his house on Sunday, but on Tuesday morning monsieur Robart brought it to him, but he would never declare from whom he brought it."

In the midst of these debates a message was sent from the lords, to acquaint the house of commons, that it was the opinion of their lordships, that the discovery made by sir Thomas Cooke was not satisfactory, nor so full as to entitle him to the benefit of the act to indemnify him; and that their lordships desired the concurrence of the commons. They thereupon passed a vote, as the lords had done, and sent it up by the lord Coningsby.

On Monday the 29th of April, the lords acquainted the commons, that they had passed a bill, intitled, An Act for imprisoning Sir Thomas Cooke, Sir Basil Firebrass, Charles Bates Esq. and James Craggs, and restraining them from alienating their Estates; to which they desired the concurrence of the commons. After the reading of this bill, Mr. Comptroller reported the articles of impeachment against the duke of Leeds, "for contracting and agreeing with the merchants trading to the East-Indies, or their agents, for five thousand five hundred guineas, to procure them a charter of confirmation, and a charter of regulations, which sum was actually received by the said duke of Leeds, or by his agents and servants, with his privity and consent." These articles being agreed to by the commons, and by their order sent to the upper house, and read, the duke of Leeds repeated several things to the same purpose as formerly, adding, "That this storm which was now fallen upon him, was some time in gathering, and promoted by a faction and a party, who had only a pique against him; and that the king's business had been delayed on purpose. That he had an original letter, which gave him an account of this some time before it broke out, and it appeared only levelled against him, because none else were prosecuted. That there appeared a joy that they could catch at this, for then they stopped; and that sir Basil Firebrass was treated with to discover only this part, and so he should be excused from any farther discovery." His grace concluded with praying for a copy of the articles of impeachment, and of the report of the committee of both houses; which was readily granted.

The next day, April 30, the commons were acquainted by a message from the lords, that the duke

1695. of the time given, and then to be reſtored to the owners; and an aſſurance was to be given that this deficiency in weight ſhould be

duke of Leeds had put in his anſwer to the articles exhibited againſt him, of which their lordſhips ſent a copy to them. Whereupon the houſe of commons ordered that the committee, who were appointed to prepare the articles againſt the duke, ſhould conſider of, and prepare a replication to his anſwer.

Upon the firſt of May, the commons read a third time and paſſed, the ingroſſed bill from the lords for impriſoning ſir Thomas Cooke, etc. and ſent it up to the lords by ſir Herbert Croſts, who was ordered to acquaint their lordſhips that they had agreed thereto with ſome amendments. On the other hand, the lords acquainted the commons, that they themſelves were obliged, in juſtice, to put the houſe in mind of the impeachment againſt the duke of Leeds, to which the duke's anſwer having been tranſmitted to them, the lords deſired to know when the commons would be ready with their articles, to the end a certain day might be appointed by the lords for that purpoſe. Thereupon the commons ordered that the duke's anſwer might be referred to the conſideration of the committee, and that they likewiſe conſider what was to be done in that matter, according to the courſe of parliaments.

The duke, upon the 2d of May, complained to the lords of the delay of the houſe of commons, in not replying to his anſwer, alledging, "That the "impeachment was only to "load him with diſgrace; and "that they never intended to "try him." And added, that "the party uſed great parti- "ality towards him, and did "not intend to enquire after "others; and that they ſhewed "their partiality and ſpleen "in their amendment to the "bill for impriſoning ſir Tho- "mas Cooke, ſir Baſil Fire- "braſs, and others, wherein ſir "Baſil Firebraſs was to be bail- "ed becauſe he was the witneſs "againſt his grace." The ſame day the commons reſolved, "That "the offer of any money, or "other advantage, to any mem- "ber of parliament, for the "promoting of any matter what- "ſoever, depending or to be "tranſacted in parliament, was "a high crime and miſdemeanor, "and tended to the ſubverſion "of the Engliſh conſtitution." Afterwards Mr. Comptroller reported from the committee of the houſe of commons, "That it "was their opinion, that the "proper method to compel wit- "neſſes to come in, and give "their evidence upon impeach- "ments, is, in the firſt place, "to iſſue out ſummons from the "houſe to ſuch witneſſes for "their attendance; and that it "appeared to them, that mon- "ſieur Robart, who is a materi- "al witneſs for making good the "articles againſt the duke of "Leeds, had been ſummoned "to attend the committee, but "could not be found; and it not "being yet known where he is, "they are of opinion, not to "make any farther progreſs in "the matter referred to them, "until they have the farther di- "rection of the houſe." This reſolution

be laid before the parliament, to be ſupplied another way, and to be allowed them in the following taxes. But, though the 1695.

reſolution was agreed to by the houſe, and an order made that monſieur Robert ſhould attend the houſe forthwith, and that he be ſummoned by the ſerjeant at arms.

Upon Friday the 3d of May, a motion being made in the houſe of lords, to read the bill for granting to the king a duty upon glaſs, etc. the duke of Leeds roſe up, and told the lords, "That "it grieved him, that he, who "was as much as any man for "the diſpatch of the money-"bills, and never oppoſed any, "ſhould now do it. But he hoped "the lords would conſider his "caſe, not only as his, but as the "caſe of any of their lordſhips; "for it was in the power of a "tinker to accuſe at the end of "ſeſſion, and one might lie un-"der it without any remedy. "And ſince the commons, by "miſmanagement, had delayed "this money-bill for ſix weeks, "it would not be of mighty ill "conſequence if it ſhould lie a "day or two longer. His grace "likewiſe preſſed very earneſtly, "that, if the houſe of commons "did not reply, the impeach-"ment might be diſcharged; "for, if it were not, he might "lie under the reproach thereof "all his life: adding, that he "believed the commons would "do no nothing in it; for tho' "they had appointed a com-"mittee to meet, yet they met "but once, and that for form."

The ſame day, the ſpeaker of the houſe of commons acquainted them, that the ſerjeant at arms had informed him, that his meſſenger had been at the duke of Leeds's, and enquired for monſieur Robart, who was not to be found, and had not been ſeen in his grace's houſe for three days paſt. Whereupon the commons deſired a conference with the lords; which being agreed to, their managers delivered a paper to the lords importing, "That "the commons would make "good the charge againſt the "duke of Leeds, and were de-"ſirous that juſtice be done "without any manner of delay; "but that, in the preparation of "the evidence againſt the duke, "their committee met with an "obſtruction. That monſieur "Robart, who appeared, by the "depoſitions before the com-"mittee of both houſes, to be a "material witneſs, was with-"drawn ſince the impeachment "was carried up; which had "been the reaſon the commons "had not yet acquainted their "lordſhips when they could be "ready to make good the ſaid "impeachment."

This paper being read in the houſe of lords, it was moved, and agreed to without any debate, or any oppoſition made by the duke of Leeds, that an addreſs ſhould be made to the king, to iſſue out a proclamation for ſtopping the ports, and ſeizing monſieur Robart; which was accordingly done, though the proclamation was not publiſhed till about nine days afterwards.

The duke then roſe up, and blamed the commons "for do-"ing an unheard of and unpre-"cedented thing, to charge a

1695. the king liked this propoſition, yet all the reſt of the council were againſt it. They ſaid, this would ſtop the circulation of

" man with crimes, before they " had all the evidence to make " it good. That it was ſtrange " they ſhould ſay they wanted a " material witneſs, and lay it " upon him to produce this wit- " neſs; as if a perſon were ob- " liged more to produce evi- " dence to accuſe himſelf, than " to anſwer ſuch queſtions by " which he accuſes himſelf. He " then acquainted their lord- " ſhips, that in truth he had " ſent monſieur Robart to ſee his " daughter Leinſter, who went " into the country big with " child; and ordered him to call " at Minns to ſee his daughter " Plymouth, it being in his way " to his daughter Leinſter's, " whither the meſſenger of the " houſe might have known he " was gone, if he had aſked. " That he had ſent a meſſenger " on purpoſe for Robart; that " his footman waked him about " two of the clock on Sunday " morning, to let him know " that Robart was come, and " was in the houſe, which was " as ſoon as he could poſſibly " return. That his lordſhip told " the footman he would go to " ſleep, and ſpeak with Robart " in the morning, when he uſu- " ally called him. But, when he " aſked for him in the morning, " the footman ſaid he was gone; " and upon enquiry he found " Robart did not lie or pull off " his boots in his chamber. " That the footman ſaid, he " aſked whether the news was " true, that his lord was im- " peached, and Mr. Bates in " priſon; which the footman " owned was true, and that " his grace believes that had " frightened Robart. That his " chaplain had ſhewn him a let- " ter from Robart, with a deſire " to acquaint his grace, that he " deſigned for his own country, " Switzerland, through Holland, " from whence he would write " to his grace a true account of " all the matter of the five thou- " ſand five hundred guineas to " Mr. Bates. That he knew " by the manner of his writing, " by the temper of the man, and " by a particular knowledge he " had of him and of the things, " that he would not be ſeen here " again in haſte. So that, my " lords (ſaid his grace) if this " man be inſiſted upon as a ma- " terial evidence, and that my " trial is to be delayed till this " perſon is forthcoming, when " am I likely to be tried? I " humbly move your lordſhips, " that you will come to ſome re- " ſolution, if this matter be not " immediately proceeded upon, " ſo that I may be tried before " the ending of this ſeſſion, that " this impeachment ſhall fall." To which ſome few lords cried, " Well moved."

[The collector of theſe proceedings inquires here, whether monſieur Robart might not have been delivered from the fright he was put into, by hearing the duke was impeached, and Mr. Bates impriſoned, and been wrought upon to come in, and, for his grace's honour and advantage, lay open the whole truth. If the duke had been pleaſed to put an advertiſement into

of money, and might occaſion tumults in the markets: thoſe whoſe money was thus to be weighed, would not believe that the difference between the tale and the weight would be allowed them; and ſo might grow mutinous: therefore they were for leaving the matter to the conſideration of the next parliament. So this propoſition was laid aſide, which would have ſaved the nation above a million of money: for now, as all people believed that the parliament would receive clipped money by tale, clipping went on and became more viſibly ſcandalous than ever it had been. For which reaſon an effectual ſtop was put to this miſchief in the next parliament, by recoining all the current caſh of the kingdom. 1695.

The ſame day that the parliament was prorogued, the king declared in council, that he had appointed Government in the king's abſence.

The archbiſhop of Canterbury,
Sir John Sommers lord keeper of the great ſeal, Kennet.
Thomas earl of Pembroke lord privy ſeal, Burnet.
William duke of Devonſhire lord ſteward of his majeſty's houſhold,
Charles duke of Shrewſbury one of his majeſty's principal ſecretaries of ſtate,
Charles earl of Dorſet lord chamberlain of his majeſty's houſhold,
Sidney lord Godolphin firſt commiſſioner of the treaſury,

to be lords juſtices of England, for the adminiſtration of the government during his abſence.

into the Gazette, that he would interpoſe with his majeſty to obtain a pardon for him (if any was criminal) and give him five thouſand guineas to befriend him (or ſomething to that effect); and whether ſuch a courſe would not have been of more avail for ſecuring Robart's forthcoming, and the manifeſtation of the truth and his lordſhip's vindication, than the proclamation for apprehending him has hitherto been.]

However, the lords read and paſſed the bill upon glaſs, etc. and the king came to the houſe, and gave the royal aſſent to ſeveral bills, and amongſt the reſt to the bill for impriſoning Cooke, Firebraſs, Bates, and Craggs, and alſo to an act for the king's moſt gracious, free, and general pardon, but with the exception of all perſons who have been or ſhall be impeached in parliament during this ſeſſion. On the ſame day, the commons, having read the report from the committee of both houſes, were proceeding to impeach other perſons therein mentioned, particularly ſir John Trevor, when they were interrupted by the black-rod, and commanded to attend the king in the lords houſe, where, after a ſhort ſpeech, the king put an end to theſe affairs by a prorogation to the 18th of June.

1695. In this a great error was committed, which had some ill effects, and was like to have worse. Though the breach was, in appearance at least, made up between the king and the princess of Denmark, she was not now when the king was going beyond sea, set at the head of the councils, nor was there any care taken to oblige those who were about her. This looked either like jealousy and ill-will, or a coldness towards her, which gave all the secret enemies of the government a colour of complaint. They pretended zeal for the princess, though they came little to her; and they made it very visible on many occasions, that this was only a disguise for worse designs.

Honours and promotions. At the same time that the lords justices were appointed, sir William Trumbal was made secretary of state, in the room of sir John Trenchard deceased. Trumbal was a very eminent civilian, and had been by much the best pleader in those courts, and was a learned, diligent, and virtuous man. He was sent envoy to Paris upon the lord Preston's being recalled. He was there when the edict of Nantz was repealed in 1685, and saw the violence of the persecution, and acted a great and worthy part in harbouring many, in covering their effects, and in conveying over their jewels and plate to England; which disgusted the court of France, though it was not then thought fit to disown or recall him for it. He had orders to put in memorials, complaining of the invasion of the principality of Orange, which he did in so high a strain, that the last of them was like a denunciation of war. From Paris he was sent to Turkey, where the French ambassador informed him of the secret alliance between king James and Lewis XIV. He returned to England in 1692, and was now made secretary of state [a].

Marquis of Halifax dies. Burnet. The marquis of Hallifax died in April this year; he had gone into all the measures of the tories, only he took care to preserve himself from criminal engagements; he studied to oppose every thing, and to embroil matters all he could; his spirit was restless, and he could not bear to be out of business; his vivacity and judgment sunk much in his last years, as well as his reputation: he died of a gangrene, occasioned

[a] A few days after, William de Nassau, seigneur de Zuleslein, son to the king's natural uncle, was created baron of Enfield, viscount Tunbridge, and earl of Rochford: and Ford lord Grey of Werke was created viscount Glendale and earl of Tankerville. The next day, May the 9th, duke Schomberg, the earl of Tankerville, and Peregrine Bertie vice-chamberlain to his majesty, were sworn and admitted of the privy-council.

by

by a rupture that he had long neglected. When he saw death so near him, and was warned that there was no hope, he shewed a great firmness of mind, and a calm that had much of true philosophy at least; he professed himself a sincere Christian, and lamented the former parts of his life, with solemn resolutions of becoming in all respects another man, if God should raise him up. 1695.

The king goes abroad.

On the 12th of May, the king went aboard the William and Mary yatch, attended by the duke of Ormond, the earls of Essex and Portland, and other persons of quality; and on the 14th safely landed at Orange Polder, and arrived in the evening at the Hague, where he was received with great acclamations of joy. May 12.

The seven lords justices had no character nor rank except when four of them were together; and they avoided assembling to that number, except at the council-board, where it was necessary; and, when they were together, they had the royal authority vested in them. They were chosen by the posts which they were in, so that no person could think he was neglected by the preference. They were not envied for this titular greatness, since it was indeed only titular, for they had no real authority trusted with them. They took care to keep within bounds, and to do nothing but in matters of course till they had the king's orders, to which they adhered exactly; so that no complaints could be made of them, because they took nothing on them, and did only keep the peace of the kingdom, and transmit and execute the king's orders. The summer went over quietly at home; for though the Jacobites shewed their disposition on some occasions, but most signally on the prince of Wales's birth-day, yet they were wiser than to break out into any disorder when they had no hopes of assistance from France.

A parliament in Scotland.

The king having thought fit to call a parliament in Scotland, they met according to their summons on the 9th of May. The marquis of Tweedale was his majesty's commissioner. For not only duke Hamilton, but his brother-in-law the duke of Queensberry, died the last winter. They had been long great friends; but they became irreconcileable enemies. Duke Hamilton had more application, but the other had the greater genius: they were incompatible with each other, and indeed with all other persons; for both loved to be absolute, and to direct every thing. The marquis of Tweedale was early engaged in business, and continued in it to a great age. He understood well all the interests and concerns of Scotland; had a great stock of knowledge, with an obliging temper, and

Kennet. Burnet. Dukes Hamilton and Queensberry died.

The marquis of Tweedale's character. Burnet.

1695. and was of a blameleſs or rather exemplary life, [illegible] loose thoughts both of civil and eccleſiaſtical [illegible] and ſeemed to think that what form ſoever was [illegible] was to be complied with. He had been in [illegible] parliament, and had abjured the royal family, which lay heavy upon him. He was, in all other reſpects, the ableſt and worthieſt of the nobility, only he was too cautious and fearful. He was made a privy counſellor in England in 1667, and in 1692, chancellor and marquis of Scotland, and now the king's high commiſſioner. He came to the parliament attended in the uſual manner; and, his commiſſion being read, the king's letter to the lords temporal and commiſſioners of the ſhires and burghs was read alſo, ſetting forth, "That "the continuation of the war ſtill hindered him from pur- "ſuing his reſolution of being amongſt them in perſon, and "ſo obliged him to call them together once more in his ab- "ſence. That therefore he had appointed the marquis of "Tweedale to be his commiſſioner, and to repreſent his "perſon and authority among them. That the marquis had "given proofs of his capacity and experience in buſineſs, as "well as of his fidelity and zeal, by his many and long ſer- "vices to the crown and nation, particularly ſince his being "lord chancellor; which would render him very acceptable "to them. That his majeſty had fully entruſted him with "his mind, and given him powers to paſs all ſuch laws for "the good of that his majeſty's ancient kingdom, as had "been propoſed to his majeſty at this time. That the mar- "quis was to aſk nothing of them in his majeſty's name, but "that which the intereſt of the country made neceſſary to be "done. That therefore his majeſty need not to mention to "them, that the ſubſidies for paying the forces were now ex- "pired, and that their peace and ſafety required the renew- "ing of them during the war. That his majeſty was glad "of any appearances of a diſpoſition to moderation and union "about church-matters; and hoped they would encourage "and promote it, by removing the ſubjects of differences as "much as they could. That he was not unmindful of the "letter to him in the cloſe of the laſt ſeſſion. That the "known interruptions which he had had in buſineſs this win- "ter, had been a great hindrance to him; but he was re- "ſolved to do whatever he might for the ſecurity of the "government, and the ſatisfaction of his good ſubjects. In "the concluſion, his majeſty recommended to them calm- "neſs and unanimity in their proceedings, not doubting but "they would act ſuitably to the confidence he had put in "them, in calling them again in his abſence." This letter

The king's letter to the parliament.

was

by the high commiſſioner's ſpeech, who told 1695.
[illegible]'s majeſty's tender care and concern for their
[illegible] did evidently appear, in minding every The com-
[illegible]ntribute thereto; particularly as to the miſſioner's
[illegible]ences might be compoſed, it being ſpeech.
his [illegible]le to maintain the preſbyterian govern-
ment [illegible]urch of Scotland, and that the peace and ſe-
curity of the kingdom againſt foreign invaſion and inteſtine
commotion be provided for. That if they found it would
tend to the advancement of trade, that an act ſhould be
paſſed for the encouragement of ſuch as ſhould acquire and
eſtabliſh a plantation in Africa or America, or any other
part of the world, where plantations might be lawfully
acquired, his majeſty was willing to declare, that he would
grant to the ſubjects of this kingdom, in favour of theſe
plantations, ſuch rights and privileges as he granted in like
caſes to the ſubjects of his other dominions. And that the
judicatories, higher and ſubaltern, be ſo regulated in their
proceedings, as that juſtice might be adminiſtered with
the greateſt diſpatch and leaſt charge to the people. That
theſe things had taken up ſome part of his majeſty's
time and thoughts theſe months paſt, and had been fre-
quently diſcourſed by him, and then put in the method of
inſtructions and directions for his grace's behaviour. That
therefore it only remained for them to take theſe weighty
affairs into conſideration, and to conſult of the beſt ways
and means to enable his majeſty to perfect ſo good deſigns,
by granting him ſupplies for maintaining the preſent land-
forces, and for providing and entertaining a competent
naval force, for the defence of the coaſt and ſecuring of
trade. In order to which his majeſty had granted a com-
miſſion of admiralty, for managing the affairs thereof; not
omitting to take care for the other unavoidable contingen-
cies of the government, wherein the civil-liſt came ſhort.
Concluding, that the diſpatch of theſe great affairs with
chearfulneſs and alacrity would perfect a good underſtanding,
and perpetuate a confidence between the king and them."

The earl of Annandale, lord preſident of the parliament, made likewiſe a ſpeech to them on this occaſion: he acknowledged his majeſty's gracious letter, wherein he aſked nothing for himſelf, but only prevented their neceſſary cares for the peace, welfare, and advantage of this kingdom. He took notice of the freſh aſſurances they had of his majeſty's firm reſolution to maintain the preſbyterian government of this church; and ſaid, he hoped the moderation and calmneſs that ſhould at this time appear in all their proceedings in church-

matters,

1695. "matters, would ſatisfy the world, That this is the govern-
"ment moſt agreeable to the temper and inclination of this
"people, and moſt ſuitable for the intereſt and ſupport of
"their king, the civil government, and peace of this king-
"dom." And in the concluſion he enforced all that had been ſaid, "by one thing, which did juſtly challenge a more than "ordinary zeal and vigour in their duty at this time, which "was the ſad and irreparable loſs they had ſuſtained of the "beſt of queens; wiſhing that they might all of them make this "uſe of it, that as now the whole ſovereignty was lodged "in his majeſty, it might appear by their actings, that they "had doubled their forwardneſs and endeavours to ſerve "him, which was the only way now left to ſhew their juſt "ſenſe of their inexpreſſible loſs, and to make it, in ſome "meaſure, more ſupportable to his majeſty."

Theſe ſpeeches had the deſired effect. The parliament ordered an anſwer to his majeſty's letter, and an addreſs of condolence for the death of the queen, to be drawn up, and ſent to his majeſty; and they appointed a committee for the ſecurity of the kingdom, and another for trade. The firſt of theſe committees having made their report concerning the ſupplies to be given to the king, it was unanimouſly reſolved that the ſum of one million four hundred and forty thouſand pounds Scots be granted for the maintenance of the land-forces, and for providing and maintaining cruiſers and convoys for defence of the coaſts and trade; towards the raiſing of which ſum they made an act for a general aſſeſſment, another for a ſupply of ſix months ceſs out of the land rents, a third for an additional exciſe, and a fourth for [illegible] more.

An act for a new company.

The committee of trade, after ſeveral ſittings, prepared an act, which produced the Weſt-India and Africa companies, and the Darien enterprize. That act was paſſed, but proved (as will hereafter be ſeen) very fatal to Scotland. It was occaſioned in this manner: the interlopers in the Eaſt-India trade, finding that the company was like to be favoured by the parliament, as well as by the court, were reſolved to try other methods to break in upon that trade: they entered into a treaty with ſome merchants in Scotland; and they had, in the former ſeſſion, procured an act that promiſed letters patents to all ſuch as ſhould offer to ſet up new manufactures, or drive any new trade, not yet practiſed by that kingdom, with an exemption for twenty one years from all taxes and cuſtoms, and with all ſuch other privileges as ſhould be found neceſſary for eſtabliſhing or encouraging ſuch projects. But here was a neceſſity of procuring letters patents, which they knew

knew the credit that the East-India company had at court, would certainly render ineffectual: so they were in treaty for a new act, which would free them from that difficulty. There was one Paterson, a man of no education, but of great notions, which, as was generally said, he had learned from the Buccaneers, with whom he had consorted for some time. He had considered a place in Darien, where he thought a good settlement might be made, with another over-against it in the South-Sea, and by two settlements there he fancied a great trade might be opened both for the East and West-Indies, and that the Spaniards in the neighbourhood might be kept in great subjection to them; so he made the merchants believe that he had a great secret, which he did not think fit yet to discover, and reserved to a fitter opportunity; only he desired that the West-Indies might be named in any new act that should be offered to the parliament: he made them in general understand, that he knew of a country not possessed by Spaniards, where there were rich mines and gold in abundance. While these matters were in treaty, the time of the king's giving the instructions to his commissioner for the parliament came on; and it had been a thing of course to give a general instruction to pass all bills for the encouragement of trade. Johnstoun told the king, that he heard there was a secret management among the merchants for an act in Scotland, under which the East-India trade might be set up; so he proposed, and drew an instruction, empowering the commissioner to pass any bill promising letters patent for encouragement of trade, yet limited so that it should not interfere with the trade of England. When they went down to Scotland, the king's commissioner either did not consider this, or had no regard to it; for he gave the royal assent to an act, that gave the undertakers, either of the East India or West-India trade, all possible privileges, with exemption of twenty-one years from all impositions: and the act directed letters patents to be passed under the great seal, without any further warrant for them. When this was printed, it gave a great alarm in England, more particularly to the East-India company; for many of the merchants of London resolved to join stock with the Scotch company, and the exemption from all duties gave a great prospect of gain. 1695.

But this session of the Scots parliament was chiefly remarkable for its strict enquiry into a passage that made a great noise in the world. The earl of Broadalbin formed a scheme of quieting all the Highlanders, if the king would give twelve or fifteen thousand pounds for doing it, which sum was remitted Case of Glencoe. Burnet. Report of the committee for

1695. mitted down from England; and this was to be divided among the heads of the tribes or clans of the Highlanders. He employed his emissaries among them, and told them that the best service they could do king James, [illegible] he quiet and reserve themselves to a better time; and if they would take the oaths, the king would be contented with that, and they were to have a share of this sum that was sent down to buy their quiet. But this came to nothing; their demands rose high; they knew that the earl had money to distribute among them; they believed that he intended to keep the best part of it to himself: they asked therefore more than he could give. Amongst the most clamorous and obstinate of these were the Macdonalds of Glencoe, who were believed guilty of much robbery and many murders, and so had gained too much by their pilfering war to be easily induced to give it over. The head of that valley had so particularly provoked the earl of Broadalbin (whose cows were said to have been stolen by Macdonald's men) that, as his scheme was quite defeated by the opposition that Macdonald raised, so he designed a severe revenge. The king had by a proclamation offered an indemnity to all the Highlanders who had been in arms against him, upon their coming in by a prefixed day, to take the oaths. The day had been twice or thrice prolonged; and it was at last carried to the end of the year 1691, with a positive threatening of proceeding to military execution against such as should not submit by the last day of December. All of them were so terrified, that they came in; and even Macdonald himself went to colonel Hill, governor of Fort William at Invernochie, on the last [illegible], and offered to take the oaths. But the colonel, being only a military man, could not or would not tender them; and Macdonald was forced to seek for some of the legal magistrates to tender them to him. The [illegible] were then fallen, so that five or six days passed before he could come to a magistrate; but on the 6th of January, 1691-2, he took the oaths before sir Colin Campbell of Ardkinlas, sheriff-deputy of Argyle, at which time, in the strictness of law, he could clame no benefit by it. The matter was signified to the council at Edinburgh; and sir Colin had a reprimand for giving him the oaths, when the day was passed. This was concealed from the king, and the earl of Broadalbin came to court to give an account of his diligence, and to bring back his money, since he could not do the service for which it was received. He informed against Macdonald, as the chief person who had defeated that good design; and, that he might gratify his own revenge,

the Glencoe affair. St. Tr. III. 602.

revenge, and render the king odious to all the Highlanders, he proposed that orders should be sent for a military execution on the men of Glencoe. An instruction was drawn by secretary Stair (dated the 11th of January, 1692, and directed to sir Thomas Levingston) to be both signed and countersigned by the king, that such as had not taken the oaths by the time limited, should be excluded the benefit of the indemnity, and "be destroyed by fire and sword;" but with this express mitigation in the fourth article, "That the re- "bels may not think themselves desperate, we allow you to "give terms and quarter, but in this manner only, that chief- "tains and heritors, or loaders, be prisoners of war, their lives "only safe, and all other things in mercy, they taking the "oath of allegiance; and the community taking the oath of "allegiance, and rendering their arms, and submitting to "the government, are to have quarter and indemnity for "their lives and fortunes, and to be protected from the "soldiers." After these instructions there were additional ones given by the king to sir Thomas Levingston, upon the 18th of the same month, superscribed and countersigned by his majesty, and the date marked by secretary Stair's hand, which bears orders for giving passes, for receiving the submission of certain of the rebels; wherein his majesty judged it much better, that those who took not the benefit of the indemnity in due time, should be obliged to render upon mercy, they still taking the oath of allegiance; and then added, "if Maclean of Glencoe and that tribe can be well se- "parated from the rest, it will be a proper vindication of the "public justice to extirpate that sect of thieves. The king signed this without any enquiry about it; for he was apt to sign papers in a hurry, without examining the importance of them. This was one effect of his slowness in dispatching business; for he was apt to suffer things to run on till there was a great heap of papers laid before him, so then he signed them a little too precipitately. But all this while he knew nothing of Macdonalds offering to take the oaths within the time, nor of his having taken them soon after it was passed, when he came to a proper magistrate. As these orders were sent down, secretary Stair wrote many private letters to Levingston, giving him a strict charge and particular directions for the execution of them. In a previous letter, of the date 7th of January, he wrote thus: "You know in gene- "ral, that these troops posted at Inverness and Inverlochie "will be ordered to take in the house of Innergairie, and "to destroy entirely the country of Lochaber, Locheal's "lands,

1695.

1695. "lands, Kippoch, Glengaries, and Glen[illegible]," and then added, "I aſſure you, your power ſhall be full enough; and "I hope the ſoldiers will not trouble the government with "priſoners." And, by another letter of the 9th of the month, which was written before the inſtructions, he hath this expreſſion, "That thoſe who remain of the rebels, are not able "to oppoſe; and, their chieftains being all papiſts, it is well "the vengeance falls there. For my part, I could have wiſh-"ed the Macdonalds had not divided; and I am ſorry that "Kippoch and Maclean of Glencoe are ſafe." In another letter of the 11th of January, ſent with the firſt inſtructions, to ſir Thomas Levingſton, he hath this expreſſion: "I have "no great kindneſs to Kippoch nor Glencoe; and it is well "that the people are in mercy. Juſt now my lord Argyle "tells me, that Glencoe hath not taken the oath, at which "I rejoice. It is a great work of charity to be exact in "rooting out that damnable ſect, the worſt of the High-"landers." In his letter of the 16th of January of the ſame date with the additional inſtructions, though he writes in the firſt part of it, that the king does not at all incline to receive any after the day but on mercy, yet he afterwards adds, "But, for a juſt example of vengeance, I intreat the thiev-"ing tribe of Glencoe may be rooted out to purpoſe." And, to confirm this, by his letter of the ſame date, ſent with the duplicate of the firſt, and additional inſtructions to colonel Hill, after having written, "that ſuch as render on mercy "might be ſaved;" he adds, "I ſhall intreat you, that, "for a juſt vengeance and public example, the tribe of Glen-"coe may be rooted out to purpoſe. The earls of Argyle "and Broadalbin have promiſed that they ſhall [illegible] "treat in their bounds; the paper to Kinnoch would be ſe-"cured, and the hazard certified to the laird of [illegible] ſeems to "reſet them. In that caſe Argyle's detachment, with a party, "that may be poſted in Illand Stalker, muſt cut them off; "and the people of Appin are none of the beſt." But, as the execution of the Glencoe men did not immediately take effect, ſecretary Stair, on the 30th of January, wrote two more letters; one to Levingſton, wherein he ſaid, "I am "glad that Glencoe did not come in within the time pre-"fixed. I hope what is done there may be in earneſt, ſince "the reſt are not in a condition to draw together to help. "I think to hurry (that is, to drive) their cattle and burn "their houſes, is but to render them deſperate lawleſs men "to rob their neighbours; but I believe you will be ſatisfi-"ed it were a great advantage to the nation, that thieving

" [illegible] rooted out and cut off. It must be quietly 1695.
" [illegible] they will make shift for both their men
" [illegible]'s detachment lies in Lotrickneel to as-
" [illegible] do all of a sudden." The other letter [illegible] in which he wrote: " Pray when the
" [illegible] Glencoe is resolved, let it be secret and
" [illegible] otherwise the men will shift you, and better not
" meddle with them than not to purpose, to cut off that nest
" of robbers, who have fallen in the mercy of the law, now
" when there is force and opportunity, whereby the king's
" justice will be as conspicuous and useful as his clemency
" to others. I apprehend the storm is so great that for some
" time you can do but little; but so soon as possible I know
" you will be at work; for these false people will do nothing
" but as they see you in a condition to do with them."

In February 1691-2, a company was sent to Glencoe, who were kindly received there, and quartered over the valley, the inhabitants thinking themselves safe, and looking for no hostilities. After they had staid a week among them, they took their time in the night, and killed about six-and-thirty of them, the rest taking the alarm and escaping. This raised a great clamour, and was published by the French in their gazettes, and by the Jacobites in their libels, to cast a reproach on the king's government as cruel and barbarous, though in all other instances it had appeared that his own inclinations were gentle and mild rather to an excess. The king sent orders to enquire into the matter; but when the letters, writ upon this business, were all examined, it appeared that so many persons were involved in the matter, that his gentler [illegible] prevailed on him to a fault, and he contented himself with dismissing only secretary Stair from his service. The Highlanders were so inflamed with this, that they were put in as forward a disposition as the Jacobites wished for, to have rebelled upon the first favourable opportunity. And indeed the not punishing this with a due rigour was the greatest blot in this whole reign, and had a very ill effect in alienating that nation from the king and his government.

The Glencoe affair inquired into.

As this affair still made a great noise, and it was represented to the king, that a session of parliament could not be managed without high motions and complaints, in so crying a matter; and that his ministers could not oppose these, without seeming to bring the guilt of the blood, that was so perfidiously shed, both on the king and on themselves: to prevent which, the king ordered a commission to be passed under the great seal, for a precognition in that matter, which is a practice in Scotland

1695. Scotland of examining crimes, before the perſons are brought upon their trial. This was looked upon as an artifice to cover that tranſaction, by a privatein quiry. However, when it was complained of in parliament, not without reflections, on the ſlackneſs of examining into it, and the committee for the ſecurity of the kingdom made a motion about it, the king's commiſſioner aſſured them, that by the king's order, the matter was then under examination, and that it ſhould be reported to the parliament. Accordingly, the king's commiſſion for that purpoſe being produced, read, and agreed to, it was unanimouſly voted, that the high commiſſioner ſhould be deſired to tranſmit their humble thanks to his majeſty for his care to vindicate the honour of the government, and the juſtice of the nation, by granting ſuch a commiſſion.

The commiſſioners appointed by the king to enquire into the ſlaughter of the Glencoe men, having ſpent ſome weeks in that affair, on the 10th of June preſented to the parliament private articles agreed in July 1691, between the earl of Broadalbin and major-general Buchan with ſeveral of the highland clans; as alſo the depoſitions of the laird of Glengaire and colonel Hill, containing informations of high-treaſon againſt the earl of Broadalbin; which being read, after ſome debate, an order was made for his proſecution before the parliament, and for his commitment to the caſtle of Edinburgh. In the progreſs of the enquiry, it ſeems, a new practice of the earl of Broadalbin's was diſcovered; for the highlanders depoſed that, while he was treating with them, in order to their ſubmitting to the king, he aſſured them, that he ſtill adhered to king James's intereſt, and that he preſſed them to come into that pacification, only to preſerve them for his ſervice, till a more favourable opportunity. This, with ſeveral other treaſonable diſcourſes of his, being reported to the parliament, he covered himſelf with his pardon; but theſe diſcourſes happened to be ſubſequent to it; ſo he was ſent a priſoner to the caſtle of Edinburgh: he pretended, he had ſecret orders from the king, to ſay any thing that would give him credit with them; which the king owned ſo far, that he ordered a new pardon to be paſt for him.

The report of the commiſſioners.

On the 24th of June, the commiſſioners gave into the houſe their report of the caſe of the Glencoe men, with their opinion upon it, which was as follows:

"Firſt, that it was a great wrong, that Glencoe's caſe "and diligence, as to his taking the oath of allegiance on "the 6th of January 1692, and colonel Hill's letter to Ard-"kinlas, and Ardkinlas's letter to Colin Campbell, ſheriff "clerk,

" clerk for clearing Glencoe's diligence and innocence, were 1695.
" not preſented to the lords of his majeſty's privy-council,
" when they were ſent into Edinburgh in the ſaid month of
" January; and that thoſe, who adviſed the not preſent-
" ing thereof were in the wrong, and ſeemed to have
" had a malicious deſign againſt Glencoe. And that it was
" a further wrong, that the certificate, as to Glencoe's tak-
" ing the oath of allegiance, was delate and obliterate after
" it came to Edinburgh; and that, being ſo obliterate, it
" ſhould neither have been preſented to, or taken in, by the
" clerk of the council without an expreſs warrant from the
" council. Secondly, that it appears to have been known
" at London, and particularly to the maſter of Stair, in the
" month of January 1692, that Glencoe had taken the oath
" of allegiance, though after the day prefixed; for he ſaith
" in his letter of the 30th of January to ſir Thomas Leving-
" ſton, " I am glad that Glencoe came not within the time
" preſcribed." Thirdly, that there was nothing in the king's
" inſtructions to warrant the committing of the aforeſaid
" ſlaughter, even as to the thing itſelf, and far leſs as to the
" manner of it, ſeeing all his inſtructions do plainly import,
" that the moſt obſtinate of the rebels might be received into
" mercy upon taking the oath of allegiance, though the day
" was long before elapſed, and that he ordered nothing con-
" cerning Glencoe and his tribe, but that, if they could
" be well ſeparated from the reſt, it would be a proper vin-
" dication of the public juſtice to extirpate that ſect of thieves;
" which plainly intimates, that it was his majeſty's mind,
" that they could not be ſeparated from the reſt of theſe re-
" bels, unleſs they ſtill refuſed his mercy by continuing in
" arms, and refuſing the allegiance; and that even in that
" caſe they were only to be procceded againſt in the way of
" public juſtice, and no other way. Fourthly, that ſecretary
" Stair's letters, eſpecially that of the 11th of January 1692,
" in which he rejoices to hear, that Glencoe had not taken
" the oath, and that of the 16th of January of the ſame
" date with the king's additional inſtructions, and that of
" the 30th of the ſame month, were no ways warranted by,
" but quite exceeded the king's inſtructions, ſince the ſaid
" letters, without any inſinuation of any method to be taken,
" that might well ſeparate the Glencoe men from the reſt,
" did, in place of preſcribing a vindication of public juſtice,
" order them to be cut off and rooted out in earneſt and to
" purpoſe, and that ſuddenly, and ſecretly, and quietly, and
" all on a ſudden; which are the expreſs terms of the ſaid

1695. " letters, and, comparing them and the other letters with " what enſued, appear to have been the only warrant " and cauſe of their ſlaughter, which in effect was a bar- " barous murder perpetrated by the perſons depoſed againſt. " And this is yet farther confirmed by two or more of his " letters, written to colonel Hill after the ſlaughter committed, " viz. on the 5th of March 1692, wherein, after having ſaid, " that there was much talk at London, that the Glencoe " men were murdered in their beds after they had taken the " oath of allegiance, he continues, " For the laſt, I know " nothing of it; I am ſure neither you, nor any body im- " powered to treat or give indemnity, did give Glencoe the " oath; and to take it from any body elſe, after the day was " paſt, did import nothing at all. All that I regret is, that " any of the ſort got away, and there is a neceſſity to proſe- " cute them to the utmoſt." And another from the Hague, " the laſt of April 1692. wherein he ſays, " For the people " of Glencoe, when you do your duty in a thing ſo neceſſary " to rid the country of thieving, you need not trouble your- " ſelf to take the pains to vindicate yourſelf by ſhewing all " your orders, which are now put in the Paris Gazette. " When you do right, you need fear no body. All that " can be ſaid, is, that, in the execution, it was neither ſo " full nor ſo fair, as might have been."

The king is vindicated.

This report being read, on the 24th of June, together with the depoſitions of the witneſſes, the king's inſtructions, and the maſter of Stair's letters, it was voted, " nemine contradi- " cente, that his majeſty's inſtructions to ſir Thomas Leving- " ſton and colonel Hill contained no warrant for the exe- " cution of the Glencoe men: that the ſaid execution was " a murder: that the maſter of Stair's letter did exceed the " king's inſtructions; and that ſir Thomas Levingſton had " reaſon to give the orders he had given." On the 2d of July they proceeded upon the ſame affair, and colonel Hill and lieutenant-colonel Hamilton were called. The former appeared, was examined, and cleared; but the latter not appearing was ordered to be apprehended, and on the 8th of that month voted " guilty of the murder of the Glencoe men." Then the houſe proceeded againſt the other perſons, who were actors therein; and agreed upon an addreſs to his majeſty, that he would ſend them home to be proſecuted, or not, as his majeſty ſhould think fit; and that he would take into his princely conſideration the caſe of the Glencoe men. This addreſs was on the 10th of July, recommended to the king's commiſſioner, to be tranſmitted to his majeſty, with duplicates of his majeſty's inſtructions, and the maſter of Stair's

Stair's letters. At the ſame time the king's commiſſioners received the unanimous thanks of the parliament, for laying the diſcovery of the matter of Glencoe before them, and for their careful procedure in their commiſſion of inquiry; and a new protection was granted to the Glencoe men. 1695.

On the 11ſt of July, the earl of Broadalbin, being brought to the bar of the parliament, in order to his trial, delivered in a petition, praying, that he might be allowed ſome competent time for bringing of witneſſes from remote places, and for recovery of ſuch documents, as he was to make uſe of for his vindication, both from the ſecretary's office at London, and his houſe in the country. The advocates on both ſides having been heard upon this petition, it was put to the vote, whether the day for his lordſhip to give in his defence ſhould be the 8th or 15th of the current month, and it was carried for the 15th; and that in the mean time he might raiſe letters of exculpation. Then the indictment againſt him was read, and he remanded to priſon. The ſame day the proceſs of treaſon, at the inſtance of the king's advocate againſt the earl of Melfort, and others in France, being called, the king's advocate produced his warrant from the privy-council for raiſing this proceſs againſt them, and deſired, that it might be recorded. Afterwards the indictment was read, and the king's advocate declared he inſiſted at that time only againſt the earls of Middleton and Melfort and ſir Adam Blair, and on that part of the indictment, which recited, that, by the act of parliament in 1693, it was declared treaſon to be in France after the 1ſt of Auguſt 1695, and therefore craved the indictment might be found to be good in law; which being put to the vote, it was carried in the affirmative. The next day the houſe paſſed ſentence againſt the earls of Middleton and Melfort and ſir Adam Blair, to forfeit life and fortune, and ordered the reſt, who adhered to his majeſty's enemies, and were then in France, to be proſecuted before the lords of the juſticiary. On the 15th of July, the earl of Broadalbin, being again brought to the bar, begged more time to make his defence, which was granted him till the 25th of the ſame month; but, all the public affairs being happily concluded by the 17th, it was moved and agreed to, that the proceſs of treaſon againſt him ſhould be continued till the next ſeſſion of parliament. After which his majeſty's commiſſioner gave the parliament thanks for their real and hearty compliance with his majeſty's demands, recommended to them the preſervation of the public peace in their ſeveral

1695. countries, and adjourned them till the 7th of November following.

It was obſervable, that a great party came to be formed in this ſeſſion of a very odd mixture. The high preſbyterians and the jacobites joined together to oppoſe every thing; however, it was not ſo ſtrong as to carry the majority; but great heats aroſe among them.

In this ſeſſion, an act paſſed, in favour of ſuch of the epiſcopal clergy, as ſhould enter into thoſe engagements to the king, that were by law required; that they ſhould continue in their benefices under the king's protection, without being ſubject to the power of preſbytery. This was carried with ſome addreſs, before the preſbyterians were aware of the conſequences of it; for it was plainly that which they call eraſtianiſm. A day was limited to the clergy for taking the oaths; and, by a very zealous and dextrous management, about ſeventy of the beſt of them were brought to take the oaths to the king; and ſo they came within the protection promiſed by the act.

Affairs in Ireland. Burnet. Boyer.

In Ireland the three lords juſtices did not agree long together. The lord Capel ſtudied to render himſelf popular, and eſpouſed the intereſts of the Engliſh againſt the Iriſh, without any nice regard to juſtice or equity. He was too eaſily ſet on by thoſe, who had their own end in it, to do every thing, that gained him applauſe. The other two were men of ſevere tempers, and ſtudied to protect the Iriſh, when they were oppreſſed; nor did they try to make themſelves otherwiſe popular, than by a wiſe and juſt adminiſtration. For which reaſon lord Capel was highly magnified, and they were as much complained of by all the Engliſh in Ireland. Lord Capel undertook to manage a parliament ſo, as to carry all things, if he was made lord deputy, and had power given him to place and diſplace ſuch as he ſhould name. This being agreed to, a parliament was held there, after he had made ſeveral removes. It was opened at Dublin on the 27th of Auguſt, when his lordſhip made a ſpeech to both houſes, wherein he told them, "That many and great were "the obligations they owed to his majeſty. That his ma-"jeſty had appeared himſelf in their cauſe, fought their "battles, and, at his own perſonal hazard, had reſtored "them to their religion and eſtates. And, that every thing "might concur to make them happy, his majeſty had now "called them together in the parliament, that by reaſonable "and neceſſary laws they might prevent the like dangers "for the time to come, and ſecure themſelves and their po-

"ſterity

" ſterity upon the beſt and ſureſt foundations. That he 1695.
" doubted not, but they would make ſuitable returns of
" loyalty and affection to his majeſty, by ſhewing a per-
" fect and forward zeal in ſuch things as tended to his
" honour and their own advantage." His excellency then acquainted them, " That his majeſty's revenue had
" fallen ſhort of the eſtabliſhment, which had occaſioned
" great debts to the civil and military liſts. That it was
" with difficulty, and ſtopping of all manner of payments,
" but what were abſolutely neceſſary, that the army had hi-
" therto been ſubſiſted. That there were alſo ſeveral other
" debts due from the crown, a ſtate whereof he had ordered
" to be laid before the commons, by which they would ſee,
" what ſupplies were neceſſary for diſcharge of thoſe debts,
" and for the ſupport of the government. That, for raiſing
" ſome part of this money, his majeſty had ſent them a bill
" for an " additional duty of exciſe," and he expected from
" the gentlemen of the houſe of commons, that they would
" conſider of ways and means for raiſing ſuch other ſums, as
" were requiſite for his ſervice; aſſuring them, that what
" money they gave, ſhould be applied to the uſes, for which
" it was given.

" He recommended to them, that they would take ſome
" care for the rebuilding and repairing of churches in ſeveral
" parts of their country, that the people, having decent pub-
" lic places of worſhip, might be the better inſtructed in
" their duty to their God, and obedience to their king;
" urging, that it was a tribute due to almighty God, for
" their late preſervation and deliverance; and that it would
" be one of the beſt means they could think of to preſerve the
" true eſtabliſhed religion, and to provide againſt future re-
" bellions." He likewiſe informed them, " that the lords
" juſtices of England had, with great application and diſ-
" patch, conſidered and re-tranſmitted all the bills ſent to
" them. That ſome of theſe bills had more effectually pro-
" vided for their future ſecurity, than had ever heretofore
" been done. That, in his excellency's opinion, the want
" of ſuch laws had been one of the great cauſes of their paſt
" miſeries; and it would be their fault, as well as misfor-
" tune, if they neglected to lay hold on the opportunity now
" put into their hands by their great and gracious king, of
" making ſuch a laſting ſettlement, that it might never more
" be in the power of their enemies to bring the like calamities
" again upon them, or to put England to that vaſt expence
" of blood and treaſure, which it had ſo often been at, for

1695 "ſecuring this kingdom to the crown of England. Concluding with the uſual acknowledgment of his unfitneſs for his great ſtation, and of the great difficulties, which attend it; and aſſurance, that he would diſcharge his truſt with ſtedfaſt loyalty to his majeſty's intereſt and ſervice, and with a perfect ſincerity to theirs."

The lords and commons returned their thanks in their addreſſes to his excellency for his ſpeech, and paſſed this vote, "That they would, to the utmoſt of their power, ſtand by and aſſiſt his majeſty and his government againſt all his enemies foreign and domeſtic." After this both houſes proceeded with great unanimity and diſpatch to the conſideration of the matters before them; ſo that the ſupply of 163,325 l. that was aſked for the ſupport of the government, was granted; all the proceedings and attainders in king James's parliament were annulled; and the great act of ſettlement was confirmed and explained as they deſired [a]. But, though things went on thus ſmoothly in the beginning of the ſeſſion, this good temper in the parliament was quickly loſt by the heat of ſome, who had great credit with the lord deputy. Complaints were made of ſir Charles Porter, the lord chancellor, who was beginning to ſet on foot a tory humour in Ireland; whereas it was certainly the intereſt of that government to have no other diviſion among them but that of Engliſh and Iriſh, and of proteſtant and papiſt. The lord deputy's party moved in the houſe of commons, that the lord chancellor ſhould be impeached; but the grounds upon which this motion was made, appeared to be ſo frivolous, after the chancellor was heard by the houſe of commons in his own juſtification, that he was voted clear from all imputation by a majority of two to one. This ſet the lord deputy and the lord chancellor, with all the friends of both, at ſo great a diſtance from each other, that it put a full ſtop, for ſome time, to all buſineſs.

Thus factions were formed in all the king's dominions; and he, being for ſo much of the year at a great diſtance from the ſcene, there was no pains taken to quiet theſe, and to check the animoſities which aroſe out of them. The king ſtudied only to ballance them, and to keep up among the parties, a jealouſy of one another, that ſo he might oblige them all to depend more entirely on himſelf.

[a] An act was alſo paſt to take away the writ de Hæretico Comburendo. Another to reſtrain foreign education, in order to prevent the growth of popery. Another for ſettling inteſtates eſtates. And laſtly, an act for diſarming papiſts.

Such

Such was the ſtate of affairs in the Britiſh dominions. It is time now to turn to the military proceedings abroad, and conſider how matters ſtood on both ſides before the campaign was opened. When the king of France ſaw in 1691 king William diſengaged from the war in Ireland, and the following year the elector of Bavaria poſſeſſed of the government of the Spaniſh Netherlands, he turned the ſtreſs of his arms that way, in order to break their meaſures, and in two ſucceſſive campaigns made himſelf maſter of the important places of Mons and Namur, before thoſe two princes could collect a ſufficient force to prevent it. But the two next campaigns the French met with more difficulties and a ſtronger oppoſition than they expected from the allies. King William, early poſſeſſing himſelf of the camp of Park in 1693, diſſipated the ſanguine hopes of their court, defeated their deſigns upon Brabant, and forced their king to a ſpeedy return to Verſailles; and the victory they obtained the ſame year at Landen coſt them ſo dear, that by it they loſt in 1694 the ſuperiority, which they had the preceding years over the allies. And, though this laſt campaign was wholly ſpent in obſerving one another, like enemies, whoſe forces, being almoſt equal, endeavour to overmatch the oppoſite party by the advantage of the ground, yet it was concluded to the honour of the confederates by the retaking of Huy, a place, which in time proved of more importance than was at firſt apprehended. 1695.

State of affairs abroad. Boyer. Burnet. Kennet.

King William being ſenſible, that the power of France was in its decline, and that the allies on the other hand increaſed daily in ſtrength, reſolved to form ſome conſiderable enterprize the following year, either in Flanders, or on the Maeſe, according as the enemy would give him opportunity to put it in execution on either ſide. In order to this, before his majeſty left Holland, he gave directions for the ſetting up and ſtoring of great magazines in ſeveral places, and for the making all other neceſſary preparations; and ordered two armies to be early in the field, to keep the French in awe on both ſides, and draw their whole ſtrength on that, for which their jealouſy ſhould be the greateſt, and afterwards fall on the other with more probability of ſucceſs. A ſiege in Flanders ſeemed to be attended with leſs difficulty than on the Maeſe, where the only place, that could be attempted, was Namur, the ſtrongeſt of all the Low-countries; and therefore, as moſt people looked upon ſuch an undertaking as altogether impoſſible, ſo the French themſelves turned their greateſt precautions

1695. towards Flanders, where they drew a new line from the Lys to the Schelde, before the allies could form a body of troop to oppoſe them. By theſe motions of the enemy, and their not increaſing their forces, it was eaſy to judge, that they would content themſelves to act defenſively this ſummer; not to mention the loſs of their beſt general, the duke of Luxemburg, who died towards the beginning of this year, and whoſe place was but ill ſupplied by the marſhal de Villeroy.

While the French were perfecting their lines, the confederates, who were ſuperior to them by near twenty thouſand men, formed two great armies in Flanders and Brabant. The firſt, which conſiſted of ſeventy battalions of foot, and eighty-two ſquadrons of horſe and dragoons, moſt Engliſh and Scots, and the reſt Dutch, incamped at Aerſeele, Comeghem, and Wouterghem, between Thieldt and Deynſe, and was to be commanded by the king in perſon, and under him by the old prince of Vaudemont, to whom the king had given laſt winter the command in chief of his infantry, he being the beſt general he had, after the death of the prince of Waldeck. The lieutenant-generals of the foot were the count of Naſſau, ſir Henry Bellaſyſe, and count de Noyelles; and the major-generals were colonel Churchill, Ramſey, La Meloniere, and the marquis de Miremont; monſieur Overkirk was general of the horſe, having the marquis de la Foreſt lieutenant-general, and major-general Eppinger under him. Colonel Gore commanded the Engliſh artillery; quarter-maſter general Dopff was to attend the king's perſon; and the general officers, who had accompanied his majeſty from England, were likewiſe to ſerve in this army; which, upon occaſion, was to be reinforced by twenty battalions and ten ſquadrons, that lay near Dixmyde, under the command of major-general Ellemberg. The other army, conſiſting of ſixteen battalions of foot, and a hundred and thirty ſquadrons of horſe, incamped at Zellich and Ham, on the road from Bruſſels to Dendermond, and was to be headed by the elector of Bavaria, and under him by the duke of Holſtein-Ploen, the Spaniſh and Bavarian generals, the earl of Athlone, general of the Dutch horſe, and monſieur Tetteau general of the ordnance There was alſo another little army, which was called "the body of the Maeſe," which lay incamped towards Bref and Talais on the Mehaigne. This body conſiſted of eighteen battalions of Brandenburghers, and ſeven Dutch; and of ſeventeen ſquadrons of Brandenburg, and fifteen of Liege; the whole commanded by the baron de Heyden, lieutenant-general of Brandenburgh, and count de

Berlo

Berlo general of the Liege cavalry, who were to be joined by the reſt of the Brandenburg horſe, which came down along the Rhine. On the other hand, the marſhal de Villeroy, who, after Luxemburg's death, commanded the French forces in chief, had drawn his army together at Leuze between Condé, Tournay, and Aeth; marſhal de Boufflers and count Guiſcard, with a body of about twelve thouſand horſe and foot lay incamped about the Sambre; and monſieur Montal, with another ſmall body, lay between Ypres and the fort La Knoque, to obſerve major-general Ellemberg. 1695.

This was the poſture of both parties, when the king left Loo, and came to Breda in his way to Ghent; where he was received both by the governor and burghers with the like reſpects, that are uſually paid to a king of Spain. The elector of Bavaria and the duke of Holſtein-Ploen waited upon him at his arrival, being come to Ghent ſome hours before from their army, which by this time had marched to Ninove; and the ſame evening the king went to his army at Aerſcele. Two days after, upon intelligence, that Boufflers had paſſed the Sambre, and that Villeroy was come to Eſcanaffe on the Schelde, to deſtroy the forage on this ſide; the king ſent orders to the earl of Athlone to march with forty ſquadrons from the duke of Bavaria's camp at Ninove, to obſerve Boufflers, who was now advanced to Flerus; and, having beſtowed the three following days upon the review of his forces, which he found in very good condition, he detached three brigades of horſe commanded by the marquis de la Foreſt to reinforce the elector of Bavaria; and the next day marched his army from Aerſcele, and having ſent all the heavy baggage to Bruges, came and incamped at Becelaer, from whence a party was ſent out, that routed two of the enemies parties, and purſued them to the very walls of Ypres. Villeroy marched at the ſame time from Eſcanaffe, and retired behind the lines between Menin and Ypres, having detached ten thouſand men to reinforce Boufflers who was advanced to Pont Eſpierre. The ſame day in the evening the king went to view the enemies lines, and found the main body of their army incamped within them, ſtanding to their arms, as expecting to be attacked. But, though there was little probability of ſucceſs in attempting to force the lines, yet it was highly convenient for the king's project to give the French ſuch umbrage, as to oblige them to bring all their forces to defend them. Therefore the body of the Maeſe advanced towards Namur, and the elector of Bavaria marched from Ninove, paſſed the Schelde poſted himſelf at Kerk-

The king comes to Ghent. June 5. N. S.

June 11.

June 13.

June 12.

1695. Kerkhoven near Hauterive facing the new lines, and forced Boufflers to retreat within them.

June 17. The king, being informed of the elector of Bavaria's arrival at Kerkhoven, detached general Churchill with eight battalions to join general Ellemberg; and the duke of Wirtemberg marched in the night with colonel Gore, colonel Brown, ten pontoons, and eight hundred pioneers, to take upon him the command of that army, and to make an attempt upon fort Knoque, to encreaſe the enemies jealouſy for Flanders, and draw the forces on that ſide. The ſame day the elector of Bavaria made a feint of attacking the new line, and the king went to an eminence to view the enemy; and it being confirmed on all hands, that all their forces were within their lines, he ſent orders to the baron de Heyden to advance towards Flanders with the troops under his command: Upon theſe motions Villeroy detached two brigades from his army, one towards Courtray, the other towards fort Knoque, in attacking which prince Wirtemburg met with great difficulties; and at the ſame time the king ſent freſh orders to the earl of Athlone and the baron de Heyden to confer together, and concert meaſures towards the ſiege which he had in his thoughts, which ſtopped the march of the latter towards Flanders.

Hitherto the king had not declared his deſign, but had artfully purſued his ſtratagem of drawing all the enemies forces on one ſide, that he might attack the other with leſs oppoſition. This having ſucceeded according to his wiſhes, he directed the earl of Athlone and the baron de Heyden to inveſt Namur, and by an expreſs communicated the whole ſcheme of the ſiege to the duke of Bavaria, who highly applauded the ſame. According to the king's orders, the earl of Athlone, being joined by the Brandenburgh troops, left a good body of horſe at Faliſe, and marched with the reſt towards Charleroy. At the ſame time the king, having marched back his army to Rouſelaer, left them there, under the command of prince Vaudemont, and, attended by a ſtrong guard, advanced himſelf towards the Maeſe. Theſe motions, together with the great preparations which were making at Maeſtricht, Liege, and Huy, put the French in ſuſpence whether the confederates deſigned to attack Namur or Charleroy; and the marquis d'Harcourt, who had paſſed the Maeſe near Dinant, and who feared moſt for Charleroy, marched again down that river towards Namur, ſo that the earl, being by this time reinforced by a body of horſe and dragoons from the elector of Bavaria's army, commanded by count Tilly, took all

all the poſts from the Sambre to the Maeſe; whilſt the baron de Heyden, with the Brandenburg and Dutch forces, inveſted the place between the Maeſe and the Sambre. Another detachment was ordered to ſurround Namur on the Condroz ſide; but their not coming in time, by reaſon of the difficulty of the ground, and the vaſt extent of the circumvallation, gave marſhal Boufflers an opportunity to throw himſelf into the place with ſeveral regiments of dragoons, inſomuch that with this reinforcement the garriſon conſiſted of near fifteen thouſand men, and moſt of them the beſt troops of France. The king came to the caſtle of Faliſe on the 2d of July, and the next day, the elector of Bavaria having brought up the reſt of the army with prodigious expedition, the town and caſtle of Namur were entirely inveſted, and the king diſpoſed the troops into their reſpective quarters, and aſſigned each general his poſt. The Sambre and the Maeſe did naturally divide the army into three general quarters, which were ſubdivided into ſeveral others. The king's quarters reached from the Sambre to the Maeſe towards Brabant; and here encamped twenty-three battalions and one hundred and twenty ſquadrons, under the command of the duke of Holſtein-Ploen, the earl of Athlone, baron Opdam, monſieur Tetteau, count de Tilly, the marquis de la Foreſt, and meſſieurs Warfuzey, Hubert, Itterſum, Saliſch, and Fagel. The duke of Bavaria was poſted between the Sambre and the Maeſe, with twenty-four battalions, twenty ſquadrons, the Spaniſh and Bavarian generals, general Coehorn, and a major-general of Brandenburg. And in the Condroz along the Maeſe, both above and below the town, were encamped the baron de Heyden, with the other Brandenburg generals, and count de Berlo general of the cavalry of Liege, having ten battalions and ſixty ſquadrons under them. For the communication of theſe quarters, three bridges were immediately laid, one on the Sambre and two on the Maeſe, and of theſe one was above and the other below Namur. The ſame day the king received intelligence, that Villeroy had ſent ſome detachments towards the Maeſe: that prince Wirtemberg, having amuſed the French for ſome time, and finding at length it was impoſſible to hinder the communication of fort Knoque with the body under monſieur Montal, was retired from before that fort with eleven battalions of foot and one regiment of horſe, and had joined prince Vaudemont: that the latter, being thus reinforced, had detached major-general Ramſey with fourteen battalions, to attend his majeſty: that count de Naſſau was gone the ſame way with eight battalions more, and

1695.

Namur inveſted, July 3. N. S.

1695. and that he would be followed by the lord Cutts with ten others. The next day the king viewed the avenues to the town, and ordered trees to be cut down in the foreſt of Marlagne, to ſtop the paſſages on that ſide, and cover the retrenchments made on the road. The 5th and 6th of July, both horſe and foot being encamped, the beſiegers worked on the circumvallation, under the direction of general Coehorn; and the earl of Athlone, having repaſſed the Maeſe with a hundred ſquadrons of horſe, marched towards Pieton, in order to conſume the forage there, and obſerve the motions of the enemy. The count de Berlo followed him with the horſe of Liege, ſo that there remained but little cavalry before the place.

Difficulties of the ſiege.

On the other hand the French prepared themſelves for a vigorous reſiſtance, and having lately been ſo conſiderably reinforced, expected no leſs than to defeat all the attempts of the beſiegers. And indeed it muſt be confeſſed, that their preſumption was not altogether groundleſs, if it be obſerved that Namur has ever been accounted one of the ſtrongeſt towns in the Low Countries, both by the advantage of its ſituation, and the addition of its fortifications, which give it the command over two great rivers, and make it the beſt bulwark of Brabant. Beſides this, the place had very much changed its condition ſince it fell into the hands of the French king, who never ſpared expence to put his frontiers and conquered cities into the beſt defence they were capable of receiving from art and nature. The town was then quite overlooked by a ſteep hill from the Port de Fer, or Iron Gate, to that of St. Nicholas; ſo that the French having the liberty to bring down their batteries at firſt to the deſcent of that hill, and to open their trenches at the foot of it near the Maeſe, they made themſelves maſter of it in five or ſix days. But now, to add a very conſiderable ſtrength to this weak part of the town, the French made a detached baſtion on the aſcent of the hill before St. Nicholas's Gate, all of ſtone-work, with a caſemot upon it bomb-proof; the counterſcarp of free-ſtone, as alſo the covered way, which pointed juſt upon the top of the hill, ſo that no cannon from the plain could bear upon this work, and the allies were neceſſitated to batter it in reverſe from the other ſide of the Maeſe. This was not all; for upon the right, towards the Iron Gate, the beſieged had made three detached baſtions of the ſame work, juſt upon the brow of the hill, and at the foot of the ſame before the gate; and between the hill and the brook of Werderen they had a fourth, which hindered the avenues between the

Strength of the town.

the hills to this gate: the plain upon theſe hills was fortified with a double covered way, both paliſſadoed to defend theſe detached baſtions towards the village of Bouge. And, when the allies began to inveſt the place, the French were working at a third, nearer to the brow of the hill, juſt before theſe works; ſo that the town, which before was but weak, was now, by the new fortifications, rendered ſo ſtrong, that it held out longer than the caſtle. 1695.

The caſtle, the principal ſtrength of Namur, was built upon a hill, in an angle formed by the confluence of the Sambre and the Maeſe, and conſiſted of an irregular fortification, ſuch as the ground could admit of, divided into the old and new caſtle of Terra Nova, and Coehorn or William's fort; and this likewiſe received ſuch additions from the French as to leave it almoſt impoſſible to be attacked the ſame way they took it before. Coehorn fort fell into their hands by carrying their trenches round it along the bottom, between it and Terra Nova; which work being thus embraced, and all manner of communication cut off, was ſoon forced to ſurrender. To prevent the like for the future, the French built a ſtrong ſtone redoubt juſt upon the top of the hill between the Coehorn and Terra Nova, with a caſemot upon it bomb-proof; and, as this redoubt commanded all the bottom to the Sambre, ſo it had likewiſe a good covered way, paliſſadoed from the angle of the gorge of the Coehorn to the brink of the hill upon the Maeſe. Add to this, that they had raiſed a very good half-moon before the curtain of the horn-work of the Terra Nova; beſides their fortifying the Devil's Houſe that flanked the ſides of the Coehorn towards the Maeſe, with a ſtrong ſtone redoubt; which place, when the Spaniards had it, had but a ſimple retrenchment about it, and yet it held out four or five days. From the upper part of the Coehorn on the ſide of the Maeſe, they had made a good covered way, which embraced the above-mentioned redoubt, to the edge of the hill upon the Maeſe; and had undertaken a prodigious line cut into the rock all along the top of the hill, near an Engliſh mile in length, terminating upon the edge of the hill towards the Sambre, with two redoubts at each end. The line was finiſhed, and the redoubt towards the Maeſe very forward; but that towards the Sambre being but juſt begun, they made it up with faſcines upon the arrival of the allies before the place. In ſhort, the caſtle was ſo well fortified on the top of the hill, that it would have been a very tedious piece of work to attack it that way; but the weak ſide of the caſtle and Coehorn fort was towards the Sambre and the town,

Strength of the caſtle.

1695. town, which the French had not ſo much regarded, being ſo confident that the place was impregnable, that they had ſet up this inſcription on one of the gates REDDI QVIDEM, SED VINCI NON POTEST, intimating that this town might indeed be "reſtored, but not retaken."

Namur being thus fortified, and provided beſides with all neceſſaries for many months, with good ſtore of ammunition, one hundred pieces of cannon, twelve mortars, and ten thouſand muſkets to ſpare, and a garriſon of twelve thouſand men, commanded by a governor equally eſteemed by his king and beloved by his ſoldiers, ſeemed to defy the attempts of the beſt appointed and moſt numerous army: but when Boufflers had thrown himſelf into it with ſeven choſen regiments of dragoons, a great number of volunteers, major-general Megrigny another Vauban, followed by the moſt ſkilful engineers, gunners, miners, and bombardiers of France, and had compoſed an army to defend theſe ramparts which were thought impenetrable, it was then that the French and their favourers looked upon the king's enterprize as an unparalleled temerity, and doubted not but Namur would be the rock on which the grand confederacy ſhould ſplit. But all theſe great, and, in appearance, invincible obſtacles, were not able to ſhake the king's reſolution; they ſerved only to make him concert effectual meaſures to ſurmount all difficulties, which he did to his immortal glory, the aſtoniſhment of his enemies, and the admiration of all Europe.

The lines of circumvallation being finiſhed, the king, attended by the elector of Bavaria, went, on the 10th of July, early in the morning to the baron de Heyden's quarters: here he was met by all the general officers, with whom having viewed the place, all were of the king's opinion, that the attack upon the town ought to be made againſt St. Nicholas's Gate; and therefore it was reſolved that the trenches ſhould be opened on the hill de Bouge, and below along the Hermitage, as alſo that in the Condroz ſide between the hill St. Barbe and the river; and that, to favour the opening of the trenches, the Baron de Heyden ſhould raiſe a battery of ten pieces of cannon, to batter in reverſe the covered way and detached baſtion before St. Nicholas's gate, which faced the attack. Accordingly, the heavy cannon being come up, the trenches were opened the next day without any great diſturbance from the enemy; and the ſame day the lord Cutts arrived in the camp with ſix battalions of foot. The 12th, the batteries began to play, and the trenches were ſucceſsfully carried on. On the 13th prince Vaudemont informed the king

king that the French ſeemed to have ſome deſign in Flanders, and that Aeth was moſt in danger. The next day, upon advice that the marquis d'Harcourt and lieutenant-general Ximenes were in motion, and might eaſily fall upon our convoys on the ſide of the Condroz and Liege, which was unguarded, his majeſty detached twenty ſquadrons of horſe and dragoons towards the plains of St. Severin, between Huy and Leige, to obſerve the enemy; and in the afternoon a battery of four pieces of cannon was raiſed upon the eminence of Bouge, againſt the old tower of Coquelet, which very much incommoded the beſiegers. 1695.

The ſame day the king received two letters from prince Vaudemont. By the firſt he was informed that Villeroy had paſſed the Lys at Courtray and Harlebeck; and that, according to common report, he marched againſt the prince; and by the ſecond, that the French general was advanced as far as the river Mandel, and that, the head of his army having been diſcovered towards the mill of Dentreghem, Vaudemont had drawn his forces in battalia, poſted his left near Grammen, the right towards Aerſeele and Caneghem, and began to fortify his camp. The imminent danger, that the prince found himſelf in on this occaſion, and the admirable conduct with which he extricated himſelf out of it, are paſſages too remarkable to be paſſed over in ſilence, and will therefore juſtify the following digreſſion.

Vaudemont was informed on the 12th of July at night, by a ſignal from the governor of Oudenard, that the head of the enemies army bent their march towards Cordes; which was confirmed to him by an expreſs from the governor of Aeth; and almoſt at the ſame time he received advice from Courtray, that the day before the French had laid bridges over the Lys both above and below that town. On the 13th early in the morning, he had poſitive intelligence, that they were actually paſſing that river; and on the other hand the commanders of the caſtles, which he had garriſoned on the river Mandel, gave him notice, that the enemy was marching directly againſt him. Theſe advices, though different, were yet both true; for twelve thouſand of the enemies horſe made towards Cordes, while the reſt of their army paſſed the Lys, and advanced towards Mandel.

Upon theſe informations Vaudemont gave orders to his army to be in readineſs, by a ſignal of two guns. But, before he made any motion, he reſolved to have a confirmation of the deſigns of the enemy. For as their marching towards Cordes with the greateſt part of the forces might be in order

to

1694. to relieve Namur, whilſt another body advanced towards the river Mandel, only to amuſe him; ſo, if their whole army marched in one body, there were two inconveniences to be feared; either that they ſhould fall on the maritime towns of Flanders, in caſe he marched to the left to prevent the relief of Namur; or that they ſhould gain two days march before him in their way to Namur, if he made too quick a motion to the right to cover the places of Flanders. Theſe reflections obliged him to ſpend the whole day, being the 13th of July, in obſerving the enemy. He ſuffered them to attack the caſtles of Ingelmunſter and Mulenbeck, which were, each of them, defended by an hundred and forty men, who obliged the enemy to bring down cannon, before they would ſurrender; which made them loſe time, and gave the prince reaſon to judge, that their whole army was marching to attack him. Their vanguard appearing in the evening at Dentreghem, where his right was poſted, confirmed him in that opinion. He thought fit immediately to change the diſpoſition of his camp, placing his right at Aerſeele, and his left at Grammen next the Lys; and at the ſame time ordered the retrenchments to be made on both ſides. The count de Noyelles, who had the command of theſe works for the center, and the whole left wing, cauſed the general's orders to be executed with ſuch extraordinary diligence, that on the 14th by break of day he had made a very defenſible line. The riſing grounds upon the right of Aerſeele were alſo fortified by ten of the clock in the morning: which done, the artillery was placed in the right of the flank and in the whole front of the line.

In this poſture, with fifty battalions of foot, and fifty-one ſquadrons of horſe and dragoons, Vaudemont reſolved to expect Villeroy, though the marſhal had double the number, with which he was marching on the 14th of July towards him, and came up early enough to have attacked him. But, whether it was that he found the prince's camp ſo ſtrongly fortified, or that he would not hazard a battle, till Montal had taken his poſt in the rear of the prince's right, to fall upon him there, at the ſame time that the French army ſhould break up againſt the front, he remained in ſight of the allies that evening, expecting to have attacked them early in the morning, and in a manner to have caught them in a net, by inviroming them on all ſides. Vaudemont, being informed of Montal's motion, and finding he had already paſſed the Thielt, wiſely changed his reſolution of fighting, and thought it high time to provide for a retreat. Thereupon with great pre-

Prince Vaudemont retreats.

ſence of judgment he ordered the intrenchments to be perfected every where; ſome advanced houſes to be ſet on fire, leſt the French ſhould poſſeſs themſelves of them in their march againſt him; and the cannon of the left continually to play upon the enemy, to give them occaſion to think, that his deſign was rather to fight than retreat. At the ſame time he ordered the cannon of the right and the front to be drawn off, and to march towards Deynſe, which was done with that ſecrecy, that the enemy did not perceive it; for he had artfully ordered the artillery to be moving from the batteries all the afternoon, ſo that, when it went clear off, the enemy thought it had been but the ordinary motion. Then marched the two lines of foot upon the left along the retrenchments, to cover which the prince ordered a body of horſe to go and poſt themſelves in the retrenchments, as they were quitted by the foot; the latter marching out at the ſame time with their pikes, and colours trailing, to conceal their going off. Neither did the enemy perceive this motion, till the cavalry mounted again, and abandoned the retrenchments; by which time the infantry was got into the bottom between Aerſeele and Wouterghem, marching towards Deynſe. While the foot was thus filing off from the retrenchments, the prince ordered monſieur Overkirk, with the right wing of the horſe, interlined with Collier's brigade of foot, to make a line falling towards Caneghem, and extend himſelf from the windmill of Aerſeele, towards Wink, in order to make Montal believe, that this line was deſigned to oppoſe his attempt upon the rear of the prince's right; but his ſecret orders were to march off by Wink to Nivelle, and ſo to Ghent. At the ſame time the foot marched by Wouterghem to Deynſe; the earl of Rochford, who was poſted with the left wing of horſe and two battalions of foot towards the Lys, made the rearguard towards the line, with a line of foot on the one ſide, and three ſquadrons of Eppinger's horſe upon the other. All this was ſo contrived by the prince from the right to the left, that his army diſappeared all at once; and, ſtill to impoſe the better upon the French, Vaudemont, himſelf, and the duke of Wirtemberg, with ſome other generals, kept in the camp, forming with their own domeſtics and attendants a ſmall body of horſe, with which they followed the army, as ſoon as it was all got off. The French, finding themſelves thus ſtrangely baffled, did what they could to fall upon the rear of the allies; and particularly Montal endeavoured to attack that body, which was commanded by monſieur Overkirk, whom he overtook 1695.

1695. with ſome ſquadrons of horſe and dragoons. But, the defiles being advantageous, and brigadier Collier having ordered all the grenadiers of his brigade to the rear of all, to face the enemy from time to time as they approached, the grenadiers with their fire kept the French at a diſtance, and made good the retreat. Nor had the enemy much better ſucceſs in their attempt upon the rear of the body of foot, commanded by the count de Noyelles. However, two ſquadrons of their dragoons, putting green boughs in their hats, which was the confederates diſtinguiſhing mark in a day of battle, and ſpeaking ſome French, ſome Engliſh, as if they had been ſome of their own rear-guard, did by that ſtratagem, towards the evening, come up cloſe to their rear, and marched along with them a little way, till they came to a convenient place, when they fired upon them firſt, and then fell in amongſt them with their ſwords, which put the firſt battalion, that was ſet upon, in ſome diſorder; but the other facing about immediately conſtrained them to retire, after they had killed a few men: a loſs, altogether inconſiderable for a retreat, which is ſcarce to be paralleled in hiſtory, and for which king William, in his letter to prince Vaudemont, "owned himſelf obliged to him; adding, that "he had given greater marks of a general conſummate in the "art of war, than if he had won a battle[a]."

Vaudemont, having reached Deynſe toward the cloſe of the evening, left in it a garriſon under brigadier O'Farrel, and then marched as far as the plain of Oyendonck in his way to Ghent, reſolving at firſt to have reſted his army there all night; but having halted a while, and then, as he himſelf afterwards ſaid, calling to mind a maxim of that great general Charles IV. duke of Lorrain, his father, "That, when an

[a] The king's letter was as follows:

"Couſin,

"You cannot believe how "much your letter of yeſterday "noon, which I received this "morning by break of day, "diſturbed me: on the other "ſide, how joyful I was upon "receipt of the other letter, "dated from Mary-kirk near "Ghent, this day at three in "the morning. I am much "obliged to you, for in this "retreat you have given greater "marks of a general, conſummate in the art of war, than "if you had gained a victory; "I abſolutely approve of your "conduct upon this occaſion, "and I hope it will hinder the "enemy from undertaking any "more of the ſame nature. "Nevertheleſs I ſhall be impatient 'till I know which way "they bend their march, ſince "this blow has ſtifled them.

"I remain always, &c."

"army

the retreat, it muſt be ſure to retreat out of reach," he decamped again, and, by nine of next morning, the whole army was advanced under the walls of Ghent, from whence lieutenant-general Bellaſyſe and the marquis of Miremont were detached with twelve battalions, and twelve pieces of cannon, to ſecure Neuport, and the canal of Paſquendal. Their diligence, and the prince of Wirtemberg's coming up to ſuſtain them, with twelve other battalions, and thirty-eight ſquadrons of horſe and dragoons, quite broke the meaſures of Villeroy and Conti, who had already taken quarters in ſight of that place, in order to inveſt it. Villeroy, finding the attack of Neuport too difficult, bent his march towards Dixmyde, which was garriſoned by eight battalions of foot, and a regiment of dragoons under major-general Ellemberg. 1695.

Thus was performed a retreat ſcarce to be paralleled in hiſtory. The military men that ſerved under Vaudemont, magnified his conduct very highly, and compared it to any thing that Turenne, or the greateſt generals of the age, had done. In the courſe of the retreat it was once thought he could not get off, and Villeroy's conduct was blamed for not improving the advantage, but it was without cauſe; for Villeroy had not overſeen this advantage, but had ordered the duke of Mayne, the French king's beloved ſon, to make a motion with the horſe which he commanded; and probably, if that had been ſpeedily executed, it might have had ill effects on prince Vaudemont. But the duke of Mayne deſpiſed Villeroy, and made no haſte to obey his orders; ſo the advantage was loſt, and the king of France put him under a ſlight diſgrace for it. Remark on Vaudemont's retreat.

In the mean time, the attacks againſt the town of Namur were carried on with great application; and two or three ſmall ſallies of the beſieged having had no ſucceſs, they reſolved to make another on the 18th of July, about three in the afternoon, with twelve hundred horſe, and four ſquadrons of dragoons. After they had croſſed the Maeſe, they attempted the trenches on the right-hand of the bridge, belonging to that river, took a redoubt, that was unfiniſhed, and only ſtuffed with ſacks of wool, fell upon the beſiegers both in front and flank, and forced them at firſt to give way; but, the latter taking freſh courage, and being timely ſupported by ſome Brandenburg horſe, the French were beaten back with the loſs of two hundred of their men; nor was this encounter leſs bloody to the beſiegers. However, the king finding that very day, that the trenches were advanced within

1695. fuzee-ſhot of the counterſcarp, he reſolved to ſtorm the advanced works and traverſes that evening an hour before ſ[illegible] ſet, to hinder the enemy from fortifying themſelves a[illegible] and for that purpoſe he ordered, that the battalions that relieved the trenches ſhould ſupport them. Accordingly, major-general Ramſey and the lord Cutts, at the head of five battalions of the foot-guards, Engliſh, Scots, and Dutch, began the onſet on the right, being ſuſtained by ſix Engliſh battalions, commanded by brigadier-general Fitz-Patrick; and at the ſame time major-general Saliſch, with eight Dutch and other regiments, and nine thouſand pioneers, inſulted the enemy on the left from the redoubt to the ruined tower of Coquelet; and was to be ſeconded by major-general Heukelom, with ſome Dutch battalions. The horſe-guard was doubled, and all the troops on that ſide had orders to be in readineſs to ſupport the whole attack in caſe of neceſſity; which precaution proved altogether needleſs, by reaſon of the extraordinary valour and intrepidity, which the aſſailants ſhewed on this occaſion. However, the beſieged having brought out eight battalions, a great detachment of dragoons, and all the grenadiers, to defend their retrenchments, the diſpute was obſtinate for two hours, but at laſt the French were beaten back, and purſued to the very gates of the town. The king, who, according to his cuſtom, remained upon the place, during the whole action, was ſo well pleaſed with the bravery and excellent order of his men, that, laying his hand over the duke of Bavaria's ſhoulder, he ſaid to him ſeveral times with tranſport, "See my brave Engliſh! See my "brave Engliſh!" And indeed, it muſt be remembered to their immortal honour, that without any ſhelter they advanced boldly and undiſturbed, amidſt ſhowers of great and ſmall ſhot, bombs and hand-granadoes, which by the effect of mines and fougades opened graves for them in ſeveral places, towards an enemy ſecured by retrenchments well paliſſadoed. The confederates loſs in this action mounted to twelve hundred men, either killed or wounded, and that of the French to about as many.

After this ſucceſs the beſiegers carried on their trenches to the village of Bouge, towards St. Nicholas's gate; the ſame being done alſo on that ſide near the Maeſe, as well above as below, with a deſign to draw two parallels along the river on the ſide next the ſuburbs of Jambe, and oppoſite to the caſtle-bridge. But, the French being apprehenſive of the deſign, they ſet fire to the ſuburbs, which ſomewhat retarded the approaches that general Cochorn had begun. On the

21ſt

21ſt of July, a battery was finiſhed on that ſide next St. Nicholas's gate, and the trenches advanced an hundred paces towards the rivulet, that runs into the bottom, which the French had ſwelled with water, and which was ſecured by a kind of half-moon. Next day they began to play upon a baſtion, and the works before St. Nicholas's gate from a battery of eighteen pieces of cannon: and on the 23d the Brandenburghers battered the water-ſtop, in order to drain the moat; yet with little effect, becauſe it was lined with large free-ſtone. The great rains, which fell about this time, very much incommoded the beſiegers, and interrupted their approaches. However, on the 25th they plied their batteries with ſucceſs, raiſed new ones, ſet on miners to the redoubt of Balart near St. Nicholas's gate, and the next day forced the captain, who commanded in it to ſurrender at diſcretion. On the 27th the king went into the trenches, and perceiving, that the batteries had made great breaches in St. Nicholas's baſtion, the demi-baſtion of St. Roche, and at the end of the counterſcarp of the town, he diſpoſed all things for the general attack of the firſt counterſcarp, which was performed towards five o'clock that afternoon in this manner: the Engliſh and Scots commanded by major-general Ramſey and brigadier Hamilton came out of the trenches to the right, and attacked the point of the foremoſt counterſcarp, which incloſed the ſluice or water-ſtop. The enemy received them with a furious diſcharge, which however did not hinder them from going on briſkly; and, notwithſtanding the dreadful eruption of three or four fougades of bombs, that lay buried in the glacis, which put them at firſt into ſome diſorder, they returned more animated to the charge, and drove the enemy from that counterſcarp. But unluckily, whilſt the workmen were making a lodgment, ſome ſacks of wool took fire, whereby part of the lodgement was conſumed, and the Engliſh expoſed to the ſhot of the counter-guard and demi-baſtion of St. Roche, which they ſuſtained and anſwered with incredible reſolution, till the fire was extinguiſhed and ſome traverſes caſt up. On the other hand, the Hollanders, ſeeing the Engliſh in ſo hot a place, immediately went up along the Maeſe towards the breach of the counter-guard, and ſo vigorouſly attacked the enemy with their hand-granadoes, that the latter thought it ſafer to retreat than to defend themſelves; which very much eaſed the Engliſh. The Dutch lodged themſelves upon the counter-guard; and thus both they and the Engliſh preſerved the foremoſt covered way before St. Nicholas's gate from the Maeſe to the water-ſtop, with part

1695.

1695. of the counter-guard. The valour and firmness of the confederates infantry in this action is ſcarce to be [illegible] and it muſt be alſo acknowledged that the French [illegible] haved themſelves like men of true courage, expoſing themſelves on the glacis of the counterſcarp and on the banquet of the counter-guard, with their ſwords in their hands, in order to encourage their ſoldiers. The enemy did not throw many bombs, but they fired inceſſantly into the trenches with five or ſix pieces of cannon, which killed ſeveral perſons about the king, particularly Mr. Godfrey [a], deputy governor of the Bank of England, who being come into the camp to wait on the king about remittances of money for the payment of the army, had the curioſity to ſee this attack.

While this was doing on the town ſide, the elector of Bavaria was not idle between the Sambre and the Maeſe, but commanded an attack to be made towards the abbey of Salſines, where he deſigned to poſt himſelf. This was performed with ſo much vigour, that he not only forced the intrenchments near the Sambre; but made himſelf maſter of the fort of la Balance near the head of thoſe intrenchments; repulſed four ſquadrons of horſe, that came out of the caſtle; laid a bridge over the Sambre; paſſed that river amidſt the enemy's continual fire, and poſſeſſed himſelf of the abbey of Salſines, a poſt of great importance, and which favoured the attack of Vauban's line, that ſurrounded the works of the caſtle.

The elector, reſolving to ſtorm this line, ordered general Cochorn to diſpoſe all things for that purpoſe towards Salſines, and general Fleming to do the ſame on the other ſide of the Maeſe. On the 30th of July, by break of day, the elector, with the Spaniſh and Bavarian generals, and general Cochorn, began the attack towards Salſines, and aſſaulted the intrenchments in flank with about three thouſand foot, ſuſtained by ſome battalions, and one thouſand Spaniſh and Bavarian horſe. Major-general Swerin attacked the line in front with five hundred grenadiers, as many muſketeers, and one thouſand pioneers. And the Brandenburg generals, with five hundred grenadiers, ſupported by two thouſand foot, and their grand muſqueteers, Gens d'armes, and horſe grenadiers, inſulted the enemies flank on the Maeſe ſide. The beſieged at firſt made ſome reſiſtance by the favour of a line of communication of one redoubt and two trenches; but being aſſailed on all ſides, and that too

[a] He was brother of ſir Edmondbury Godfrey, that was murdered in the reign of king Charles II. about the popiſh plot.

with

with extraordinary bravery, they were driven to the counterscarp of Coehorn fort. Animated with this success, the besiegers pursued those, who fled, as far as the Devil's house, where the French had several cannon laden with cartouches, and about nine hundred men laid flat upon their bellies, who, suddenly standing up, poured in vollies of shot upon the assailants. These received the fire with incredible courage, forced the French to quit the counterscarp of the fort, and made themselves masters of it. However, it being impossible for them to lodge themselves there, they retired in good order. By this brave action, at the expence of about two hundred men killed or wounded, the besiegers gained a lined redoubt, some advanced batteries, and Vauban's retrenchment from the Sambre to the Maese, which with immense labour the French had cut through the rock, and which they boasted would cost the allies five thousand men before they could take it. This attack on the castle-side, where the king was present, being over, he went to view the trenches on the town-side; and finding, that a mine had been sprung, which had overturned good part of the water-stop into the ditch, whereby the water was lower by two feet, he ordered the miners to work on, in order to drain the moat; and all things to be ready to make a lodgment on the demi-bastion. The two following days the besiegers battered the works before St. Nicholas's gate with fury, and threw many bombs, which did considerable execution; and particularly one fired by lieutenant-colonel Brown, which set on fire the enemies magazine in the demi-bastion. On the 2d of August towards evening the lord Cutts with two hundred English Grenadiers, and brigadier Dedam with a like number of Dutch, both which were to be sustained by the battalions in the trenches, were ordered to attack the Saillant Angle, and the demi-bastion, which they performed with great bravery, and, after some resistance, a lodgment was made on the second counterscarp. The cannon having by this time widened the breaches, and all things being ready for a general assault, count Guiscard, the governor, demanded to capitulate for the town; which being readily granted, the articles were agreed upon, and signed on the 4th of August by the elector of Bavaria for the allies, and by count Guiscard for the besieged. The same day the iron gate was delivered to the besiegers; and on the 6th the French evacuated the town, and retired into the castle. 1695.

The town surrenders Aug. 6.

In the mean while Villeroy, having failed in his design upon prince Vaudemont, as also against Newport, marched towards Dixmuyde, and ordered Montal to besiege it. The town

Dixmuyde and Deysne surrendered to the French.

1695. town was weak; but, conſidering the ſtrength [illegible] it might have held out a fortnight, or at le[illegible] with leſs ignominy. But major-general [illegible] ſoldier of fortune, who had merited his [illegible] by his blunt courage in the open field, wa[illegible] unſpirited, and at a loſs what to do, when he ſaw himſelf cooped up in a place ſurrounded by a royal army; ſo that after a ſlight reſiſtance of thirty-ſix hours, he yielded himſelf and his whole garriſon priſoners of war. Deynſe followed the example of Dixmuyde, and was ſurrendered to the French at diſcretion by colonel O-Farrel without firing a gun. After the ſurrender of theſe two places, prince Vaudemont did not doubt but the French would advance towards Namur; and therefore deſired to be reinforced, that he might be able to obſerve them. The king ſent him Montigny's Engliſh brigade of horſe, and the two Dutch brigades of Dompre and Rhoe, marched towards Bruſſels, whither the brigade of St. Paul was gone before, with orders to join Vaudemont, who deſigned to form an army on that ſide.

Villeroy, having ordered the fortifications of Dixmuyde and Deynſe to be razed, paſſed the river Lys at Wacker, and marched up the lines to the Schelde; which he alſo croſſed at Eſcanaffe, in order to continue his march to Ninove, giving out, that he was going to the relief of Namur. Upon advice of this motion, Vaudemont decamped on the 4th of Auguſt from Ghent, and, paſſing the canal at Vilvoerd and the Burnt-bridge, pitched his camp at Dighem, having his own quarters at the caſtle of Beaulieu. The prince ſent to the French to demand the garriſon of Dixmuyde and Deynſe, conſiſting of ſix thouſand men. For, by a cartel ſettled between the two armies, all priſoners were to be redeemed at a ſet price, and within a limited time. But the French having now ſo many men in their hands, did, without either colour or ſhame, give a new proof of their perfidiouſneſs, and broke the cartel on this occaſion, as they had often done at ſea; and indeed, as often as any advantages on their ſide tempted them to it. They not only refuſed to ſend back the garriſons according to the agreement, but moſt of the ſoldiers were forced to liſt themſelves in the French ſervice, or were ſent to Catalonia, and other remote parts. Theſe garriſons might have been ſaved, for, if their officers had been maſters of true judgment or preſence of mind, they might leaſt have got a favourable compoſition, though the places were not tenable. The governors were at firſt believed to have betrayed their truſt, and ſold the garriſons, as well as the places

[illegible]nch; but they were tried afterwards, and it 1695.
[illegible] from cowardice and want of ſenſe, [illegible] ſuffered death, and O-Farrel was broke [illegible]

The French king, under pretence of revenging the inſults of the [illegible], which, under the command of the lord Berkley, had bombarded St. Malo, and ſome other towns on the French coaſt, ſent orders to Villeroy to bombard Bruſſels. Upon the French marching to Enghien with a great number of waggons laden with bombs and fire-works, prince Vaudemont immediately gueſſed their deſign, and would have prevented it, if the town could have been perſuaded, to give him the aſſiſtance that he deſired. Burghers, upon all ſuch occaſions, are more apt to conſider a preſent, though a ſmall expence, than a great, though imminent danger: ſo Vaudemont could not pretend to cover them, unleſs the confederate army, which might be reinforced by the detachment under the earl of Athlone and count Naſſau, ſhould advance and incamp in the plain of Gigot and St. Anne Pee. But, becauſe this could not be done neither, without giving Villeroy an opportunity to poſt himſelf between him and the king's camp at Namur, the prince prudently left the earl of Athlone and count Naſſau, with the forces under their command, between Waterloo and Genap, where the king had ſent them, to oppoſe the enemies paſſage at Brain le Chatteau. In the mean time Vaudemont poſted his infantry on the eminences about Bruſſels, between fort Monterey and the counterſcarp of Ixel whereby he maintained the communication with the forces at Waterloo; ordered ſeveral battalions to the outworks before the gates of Flanders and Anderleck, to ſecure the city; and extended the horſe and dragoons along the canal, to hinder the enemy from paſſing it. Bruſſels bombarded.

After ſeveral marches and counter-marches, the French appeared before Bruſſels on the 13th of Auguſt; and Villeroy, having taken his quarters at Anderleck, wrote a letter to the Prince of Berghem the governor, to acquaint him, "That "the king his maſter, ſeeing the prince of Orange had ſent "his fleet upon the coaſt of France, to bombard his ſea-"port towns, and endeavour to ruin them, without getting "any other advantage by it, had thought, that he could not "put a ſtop to ſuch diſorders, but by uſing reprifals; which "was the reaſon, that his Maſter had ſent him an order to "bombard Bruſſels; and at the ſame time to declare, that "it was with reluctance his majeſty had put himſelf upon it; "and

1695. " and that as ſoon as he ſhould be aſſured, that the ſea-p[illegible]
" of France ſhould be no more bombarded, the king his
" Maſter likewiſe would not bombard any places belo[illegible]g
" to the prince, againſt whom he was at war; reſerving
" nevertheleſs the liberty on both ſides to do it in ſuch places,
" as ſhould be beſieged. That his majeſty had reſolved upon
" the bombarding of Bruſſels with ſo much the more pain,
" as the electreſs of Bavaria was there. That, if the gover-
" nor would let him know in what part of the town ſhe was,
" the king his maſter had commanded him not to fire there.
" Concluding, that he ſhould ſtay for his anſwer till five in
" the evening; after which time he ſhould obey his orders
" without delay." The prince of Berghem, after having communicated this letter to the elector of Bavaria, who was come in great haſte to Bruſſels upon this occaſion, ſent an anſwer to Villeroy, " That the reaſon, which the king of
" France aſſigned for his orders to the marſhal to bombard
" Bruſſels, ſolely regarded the king of Great-Britain, who
" was before the caſtle of Namur: that his electoral high-
" neſs would acquaint the king with it, and ſend him an
" anſwer in twenty-four hours. And as for the conſidera-
" tion, which his moſt chriſtian majeſty had for the elec-
" treſs, that ſhe was at the royal palace." It ſoon after appeared, that Villeroy's meſſage was but an empty compliment; for, inſtead of allowing the governor time to get his Britannic majeſty's anſwer to the French king's propoſal, he began that very evening to fire upon the city with twenty-five mortar-pieces, and eighteen pieces of cannon, that ſhot red hot bullets. It was not long before the fire broke out in ſeveral places, eſpecially about the town-houſe. The enemy continued firing without intermiſſion all that night, the day following, and the night after that; during which aroſe a high wind, which would have ſpread the flame thro' the whole city, if the inhabitants had not prudently blown up ſeveral houſes on the 15th of Auguſt. The ſame day, about noon, the French diſcontinued their firing, and ſoon after drew off towards Enghien. The lower town ſuffered the moſt by the enemy's bombs, and ſeveral houſes near the market-place were quite laid in rubbiſh. The damage was valued at ſome millions; and the electreſs, though ſhe was removed to the ſuburbs beyond the reach of the cannon, was ſo frightened with its continual noiſe that ſhe miſcarried of a boy.

The king, having received advice of the motions of the French army, marched the 10th of Auguſt early in the morning with two troops of horſe guards, the troop of horſe

…ers, and ſeveral ſquadrons of Brandenburghers, 1695.
…luke of Bavaria to command the ſiege. The
…he reached Waterloo, and joined the troops
…by the earl of Athlone, count de Naſſau, and the
…la Foreſt; and, having had an interview with
prince Vaudemont, returned on the 12th to his camp before the caſtle of Namur, where immediately after his arrival the beſiegers broke ground and carried on their trenches about one hundred and fifty paces before Cochorn fort, towards the Sambre, and made a good lodgment.

Beſides the batteries already erected between the Sambre and the Maeſe, ſome others were ordered to be raiſed, both of cannon and mortars, as well in the ramparts, as in the gardens of the city, in order to batter Terra Nova and fort Cochorn all at once. On the 13th, the beſiegers began to play from no leſs than twelve batteries, when one of their bombs falling upon the magazine of the Devil's Houſe, blew up above a thouſand granadoes charged, ruined a great quantity of arms, and killed and wounded ſeveral perſons. The trenches were carried on with great ſucceſs, though the enemy endeavoured in the night time, both with their great and ſmall ſhot, to diſturb the workmen. But their batteries were ſoon ſilenced by thoſe of the Engliſh, which it is confeſſed on all hands, made ſuch firing, as was never ſeen ſince gunpowder was firſt invented. The cannon and mortars anſwered one another in time, and formed a dreadful harmony; and ſhowers of red-hot bullets and bombs, that poured continually on the caſtle, ſo terrified the enemy, that none of them durſt look out of their ſhelters under-ground, but ſuch as were obliged to be upon duty. Boufflers himſelf, being unuſed to this way of fighting, began to wiſh himſelf in the open field, and formed a deſign to break through the confederates camp with his cavalry; but the king, having notice of it, ordered ſtrong guards to be placed at all places, where the Sambre could be paſſed; and, the ſame being done all along the Maeſe by general Fleming, the marſhal muſt now ſhare the fate of his garriſon. However, on the 18th, towards midnight, they made a ſally with two hundred dragoons mounted, and five hundred grenadiers. Of the latter one hundred and fifty made the attack on the right-hand, but were repulſed by the …ra, and the reſt on the left, where lord Cutts …the advanced guard to ſecure the workmen. …ell upon lieutenant-colonel Sutton, who, being …plain of Salſines, with about forty fuzileers, …on till they were near him; then gave them a

round

1695. round volley, and retreated to his body; but the dragoons preſſing on him, he commanded his men to give them another volley. The French received it undauntedly, preſſed on, and, if their grenadiers had charged at the ſame time, would doubtleſs have cauſed a great confuſion in the trenches; but the Spaniſh and Bavarian horſe who were near, fell upon the enemy with ſo much vigour, that they drove them to the very paliſſadoes of the caſtle, killing ſome, and taking others priſoners.

After the bombardment of Bruſſels, Villeroy, being conſiderably reinforced with all the troops, that could be ſpared out of the garriſons, and the forces from the ſea-coaſts, marched directly towards Namur, with an army, as the French themſelves gave out, of no leſs than ninety thouſand men, and with which they confidently boaſted to raiſe the ſiege of the caſtle. Upon the enemies advancing from Enghien to Soignes, prince Vaudemont, in conjunction with the earl of Athlone, and a reinforcement of ten battalions and eighteen ſquadrons, which the prince of Heſſe-Caſſel had brought up from the Rhine, poſſeſſed himſelf on the 8th of Auguſt of the ſtrong camp of Mazy, within five Engliſh miles of Namur. The French army being in the mean time come as far as Fleurus, they gave the beſieged a ſignal of their approach, by the diſcharge of ninety pieces of cannon, which was anſwered by a great light ſet on the higheſt part of the caſtle. This obliged the king to leave the care of the ſiege to the elector of Bavaria and the duke of Holſtein Ploen, and to repair to the army on the 25th of Auguſt, with a reſolution to oppoſe the French, who ſeemed now fully bent to attack him, being lately reinforced by a detachment from Germany, and other troops, under the command of the marquis d'Harcourt. On the 29th of Auguſt, Villeroy advanced towards the confederates, then ſtill incamped near Mazy, but found them ſo well poſted, that he thought fit to retire in the night without noiſe. The next day he moved along the Mehaigne, extending his right to Ferwys and his left to the abbey of Boneffe. Whereupon the king cauſed his army to move towards Oſſin and Long Champ to obſerve them; and ſent orders to the marquis de la Foreſt, who commanded a body of reſerve in the plain of Boneffe, to return to the main army. The enemy perceiving, that the confederates had made a halt on the hill behind Long Champ, ſent ſeveral ſquadrons of the French king's houſhold over the Mehaigne, in order to charge the marquis de la Foreſt, between whom and the French there happened a ſmall ſkirmiſh, as far as a defile,

line, which being ſecured by the dragoons of Dopſt, the enemy went no further, but repaſſed the Mehaigne in great haſte. All theſe marches and countermarches of Villeroy, did not hinder the king from detaching the day before three thouſand grenadiers from his army, to be employed in the general aſſault of the caſtle, which he had concerted with prince Vaudemont, the elector of Bavaria, and other general officers. 1695.

On the 30th of Auguſt, the day appointed for this memorable action, the beſiegers began early to batter the breaches of Coehorn fort and Terra Nova, and continued till eleven of the clock, when the elector ſent count Horn, accompanied by the earl of Portland, to ſummon the beſieged. The batteries having ceaſed firing, count Horn called to the enemy, and told count de Lamont, commander of the French foot (who appeared on the next baſtion, attended by the marquis of Grammont and St. Hermine,) that the marſhal de Villeroy, after having been three days in ſight of the confederate army, had thought fit to retire towards the Mehaigne without fighting: that the garriſon could not expect now to be relieved: and that his electoral highneſs, being willing to ſpare the lives of ſo many brave men on both ſides, had charged him to offer honourable terms to count Guiſcard, if he would ſurrender; but that he gave him but a quarter of an hour to deliberate upon the propoſals. Count Lamont took upon him to acquaint count Guiſcard and marſhal de Boufflers with count Horn's meſſage, and promiſed to bring back a ſpeedy anſwer; but not returning in half an hour, count Horn grew impatient, and told the marquis of Grammont, that he had already outſtaid his time, and therefore deſired him to ſend ſome perſon to the governor for an immediate anſwer. A ſecond meſſenger, upon this, was ſent away; but he tarrying alſo above a quarter of an hour, and ſeveral officers of the garriſon being come to view the breach of Terra Nova, the earl of Portland did not think it convenient to wait any longer. Thus the parley was broke, and the batteries plaid inceſſantly againſt the breaches till between one and two, when the general aſſault began in the following manner.

The ſignal being given, lord Cutts [b], at the head of three hundred grenadiers, ruſhed out of the trenches of the ſecond

[b] He is ſaid to have deſired to have that command, which was not then his poſt in turn.

1695. line, which were ſeven or eight hundred paces diſtant from the breach of Terra Nova, where he was commanded to lodge himſelf; and colonel Marſilly marched on his right to poſſeſs himſelf of the line of communication next Cochorn fort. Count de Rivera, major-general of the Bavarians, with three thouſand men, marched out of the trenches of the firſt line in order to attack the breaches of the Cochorn fort. Major-general la Cave advanced to attempt the ſame fort at the point; and major general Swerin marched againſt the Caſotte with two thouſand Brandenburghers. The Engliſh grenadiers under lord Cutts, hurried on by their native ardour, and animated by the example of their leader, and of colonel Windſor, colonel Stanhope, Mr. Thompſon, and ſeveral other Engliſh gentlemen, who expoſed themſelves as volunteers, ran faſter towards the enemy, than they could be followed by the battalions of Coulthorp, Buchan, Hamilton, and Mackay, who moved from Salſines to ſupport them. The grenadiers mounted the breach without oppoſition, the enemy not expecting to be attacked on that ſide by reaſon of the great diſtance of the trenches. But as ſoon as the French ſaw, that thoſe bold adventurers were not ſuſtained, they brought down two thouſand of their beſt foot and dragoons into the ſpace between the Cochorn and the Terra Nova, to fall on the Engliſh in flank and in rear; which obliged them to make a ſpeedy retreat. The beſieged made a ſhew of purſuing them, but by this time, three of the fore-mentioned regiments being come up to their aſſiſtance, the French retired through the breach of Terra Nova, after having ſurpriſed and defeated the five hundred men under colonel Marſilly. The colonel himſelf being wounded was made priſoner, and ſoon after killed by a cannon-ball from the beſiegers batteries, with the French officer, who had carried him into the caſtle. The Engliſh having borne ſix ſeveral diſcharges, had ſeveral men killed and wounded; and among the latter was the lord Cutts himſelf, who received a ſhot in his head, which diſabled him for ſome time.

Whilſt this paſſed on the ſide of Terra Nova, count de Rivera with the Bavarians, inſtead of marching to the left of the platform, went a little too much to the right, towards the covered way, which was well paliſſadoed, and thick ſet with muſketeers, who made a terrible fire. Thro' this miſtake, inſtead of forming the two ſmall breaches of the angle of the platform, according to the ſcheme made for this attack, the Bavarians attempted to force the covered-way before the great breach; whereby they remained expoſed

for

for two hours to the enemies double fire, which killed them abundance of men, and amongſt them count Rivera himſelf, with moſt of the officers of the Bavarian guards. 1695.

The lord Cutts, impatient to return to the engagement, could ſcarce ſtay to have his wounds dreſſed. He put himſelf again at the head of his brave countrymen; but finding the aſſault of the Terra Nova not poſſible to be retrieved, and obſerving that the Bavarians, notwithſtanding the loſs of their leader, had fixed themſelves upon the outermoſt retrenchment of the point of the Coehorn next to the Sambre, and maintained that poſt with great obſtinacy, but could not gain any more ground, he reſolved to make good their attack. To effect this, he ordered, that a detachment of two hundred men ſhould be made out of ſuch, as were moſt forward to ſignalize themſelves, whom he ſtill encouraged by promiſes of rewards; that thoſe ſhould be ſuſtained by the regiment of Mackay, and that the other Engliſh forces ſhould rally and follow as ſoon as poſſible. Being come to the place of action, he detached a party of thoſe two hundred choſen men, headed by lieutenant Cockle of Mackay's regiment, whom he ordered to attack the face of the Saillant Angle, next to the breach, ſword in hand, without firing a gun; to paſs the paliſſadoes, and enter the covered way; and there to make a lodgement, if they found any place capable of it. And at the ſame time he commanded the enſigns of Mackay's regiment to march ſtrait to the palliſſadoes, and place their colours upon them. All this was ſo well executed, that lieutenant Cockle, breaking through the palliſſadoes, beat the enemy from the covered way, lodged himſelf in one of the batteries, and then turned their own cannon againſt them. On the other hand, whilſt Mackay's enſigns advanced to the palliſſadoes, the Bavarians renewed their attack with undaunted vigour; and ſo this poſt was made good. The troops were already ſo fatigued by an aſſault, that had laſted ſeveral hours, that the beſiegers contented themſelves to have gained the covered way, before the breach of the Coehorn, and the Saillant Angle towards the Sambre, and to make a lodgment there, without any further attempt upon the breach. However, this ſeaſonable reinforcement, which the lord Cutts brought to the Bavarians, had this further good effect, that it kept the enemy employed in the defence of this moſt important poſt; which very much facilitated major-general La Cave's enterprize upon the covered way before the ravelin, and upper part of the Coehorn, and ſo up towards the Caſotte, where he lodged himſelf with-

out

1695. out any conſiderable loſs. On the other hand, Major-general Swerin, who commanded the right attack of all before the Caſotte, made up boldly towards the covered-way and retrenchment between the Caſotte and the Maeſe; drove the enemy from their poſts, ſecured all the avenues; and made a very good lodgment all along this covered way and retrenchment of about three hundred paces; which he extended to the left, turning in towards the Cochorn about a hundred and forty paces more, to join it to that of major-general La Cave, that reached to the ravelin of the Cochorn. Thus, although, for want of a due correſpondence among the ſeveral attacks, either by the failure or miſtake of the ſignals, the beſiegers miſcarried in their deſign of this general ſtorm, which was to have taken the caſtle, with all its prodigious outworks, all at once; yet they were now maſters of one of the greateſt lodgments that ever was made in one aſſault, being near an Engliſh mile in extent. Such a vaſt lodgment could not be done in a moment; neither could the aſſault, which laſted till evening, be maintained without conſiderable loſs on both ſides. The beſiegers, by their own confeſſion, had two thouſand men killed or wounded, and among them many perſons of note. Count de Rivera; the colonels Coulthorp, Marſilly, and Lindroot; the baron de Heckeren; lieutenant colonel Fabricius, of du Theil's regiment; and captain Mitchel of the Engliſh guards, were counted among the ſlain; and among the wounded were reckoned the prince of Holſtein Norburgh, and the lord Cutts; the prince of Heſſe-Homburgh; and nine colonels, Eppinger, Zinzenburgh, Caunits, count Horne, count Dona, Luzelburgh, Melun, count de Denhoff, and Hamilton; ſeveral officers of the Engliſh guards, particularly the colonels Windſor, Stanhope, Evans, Mr. Thompſon (to whom the king gave a company of guards for his bravery) beſides a great many lieutenant-colonels, majors, captains, and ſub-altern officers of other regiments. The loſs of the beſieged in this action did not exceed ſix hundred men either killed or wounded. The elector of Bavaria expoſed himſelf to a degree not to be imagined, riding from place to place, and giving his orders, where the diſpute was moſt obſtinate, ſo that ſeveral perſons were killed and wounded about him. Neither was his electoral highneſs contented to encourage the officers and ſoldiers by his own example, but he animated the firſt by extolling their valour, and the latter by the more powerful incentives of immediate rewards, diſtributing handfuls of gold amongſt them. All the troops of the ſeveral nations be-

behaved themſelves with equal intrepidity; however, it is remarked, that the Engliſh were the moſt bold and preſſing, the Bavarians the moſt firm, and the Brandenburghers the moſt ſucceſsful. In acknowledgement of which ſervice the king wrote with his own hand the following letter to the elector of Brandenburgh, afterwards king of Pruſſia: 1695.

"You intereſt yourſelf ſo far in the public good, that "you muſt needs receive a particular ſatisfaction in hearing "of the ſurrender of the caſtle of Namur, eſpecially con- "ſidering, what ſhare you had in that enterprize, which "could not poſſibly have ſucceeded without the aſſiſtance of "your troops, whom I cannot enough commend, nor can "be leſs pleaſed with the admirable conduct of your generals. "They have gained to themſelves the greateſt glory and re- "putation by this action. And I aſſure you, it is impoſſible "for any one to be more ſenſible of an obligation, than I "am of that you have laid on me by aſſiſting me in an un- "dertaking of ſuch conſequence, which God has vouchſafed "to bleſs, and which, I hope, will be a conſiderable ad- "vantage to all the allies. And you may aſſure yourſelf I "ſhall omit no occaſion of giving you effectual proofs of "my gratitude."

The 31ſt of Auguſt was wholly ſpent by the beſiegers in perfecting the lodgment, which they had made the day before, and in preparing all things for a ſecond general aſſault; but the next day, the beſieged having demanded a ceſſation of arms to bury their dead, which was readily granted, the count de Guiſcard came upon the breach a little before the truce was over, and deſired to ſpeak with the elector of Bavaria. The elector having mounted the breach, the count offered to ſurrender the Coehorn fort; but the elector anſwering, that, if he would capitulate, it muſt be for the whole, count Guiſcard replied, that the marſhal de Boufflers commanded in the caſtle, and that he would let him know; and deſired, that in the mean while the ceſſation of arms might be continued; to which the elector having agreed, Boufflers conſented to treat for the whole, and an adjutant was immediately diſpatched, to give the king an account of it at Oſſin. The adjutant met the king with prince Vaudemont, coming to the ſiege in his coach, to give directions concerning a further attack. Upon his arrival hoſtages were exchanged, and propoſitions brought from the caſtle, the chief of which was, that they might have ten days to expect ſuccours.

1695. This being denied, the French, after ſome debates among themſelves, were contented to receive ſuch terms, as the elector, with the king's conſent, would grant them, being ſuch as are uſual upon the ſurrender of a ſtrong fortreſs, whoſe garriſon had made a gallant defence. The capitulation was agreed on that very night, and ſigned the next morning; and part of the outworks were given up preſently after to the allies, the beſieged having three days more allowed them to evacuate the caſtle. It is remarkable, that Guiſcard obliged Boufflers to ſign the articles, becauſe he had commanded in the caſtle during the ſiege: Whereas the count had only commanded in the Cochorn and the outworks; and that this perhaps was the firſt capitulation that was ever ſigned by a marſhal of France, which was ſo much more to the honour of the confederate arms, that they took this almoſt impregnable place in ſight of another marſhal of France, who was advanced to relieve it with an hundred thouſand men, but was only a ſpectator of the bravery of the former, and of the conſummate prudence of the king of Great-Britain, under whoſe conduct and direction all was happily atchieved; it being univerſally acknowledged, that no ſiege was ever carried on with more regularity.

The 1ſt of September, the two armies obſerved one another; but the next day Villeroy being informed of the ſurrender of the caſtle of Namur, by a triple diſcharge of all the artillery, and three ſalvo's in a running fire along the lines of the confederate army, he retired from his camp at Gemblours, and paſſed the Sambre near Charleroy with great precipitation. Upon advice of this motion the king ordered ſeveral brigades towards Salſines, and a bridge to be laid over the Sambre, to oppoſe the enemy, in caſe they ſhould make any attempt between the Sambre and the Maeſe, whilſt the French garriſon was ſtill in poſſeſſion of the Terra Nova. But it appeared that Villeroy had quite laid aſide all thoughts of fighting; for, having ſent two thouſand men to reinforce the garriſon of Dinant, he marched with the reſt of his army towards the lines near Mons.

On the 5th of September, the day prefixed for the French to evacuate the caſtle, the horſe and foot, that were incamped between the Sambre and the Maeſe, were commanded to make a lane on both ſides from the breach of Terra Nova, through which the garriſon was to march out up the hill, and ſo down again to the Maeſe, to the way that leads to Giver, whether it was agreed they ſhould be ſafely conducted. About ten of the clock in the morning the garriſon, which from

fourteen

fourteen thouſand was reduced to five thouſand five hundred and thirty-eight men, began their march. Marſhal Boufflers's guard de corps went out firſt; then his domeſtics, and next himſelf, with count de Guiſcard, the governor, at the head of the king's and Alſeld's dragoons, as many as were mounted, between eighty and ninety in all. The king was incognito in a coach, and the elector of Bavaria, the landgrave of Heſſe, and the chief officers of the army on horſeback to ſee them paſs within two hundred paces of the breach, and were ſaluted by the French marſhal and count with their ſwords. This civility was ſcarce over, when monſieur Dyckvelt, accoſted Boufflers with a meſſage, which ſomewhat diſcompoſed his countenance; and, as they were riding up to the top of the hill, monſieur de l'Etong, brigadier of the life-guards, made up to the marſhal, with about twelve of the gentlemen of that corps, and arreſted him in his Britannic majeſty's name, by way of repriſal for the garriſons of Dixmuyde and Deynſe, which, as has been ſaid, were detained and ill treated by the French, contrary to the cartel. The marſhal ſeemed at firſt very much incenſed, alledging, in a broken ſpeech, "That the laws and cuſtoms of war were violated, "and particularly the capitulation lately ſigned by the duke "of Bavaria, wherein he was expreſsly mentioned: That "the king of France, his maſter, would reſent this treat- "ment of a man of his character, and revenge it to the ut- "moſt of his power: And that, for his own part, he had "defended the place like a man of honour, and did not "deſerve it." To this monſieur Dyckvelt replied, "That "the French king his maſter, by detaining the garriſons of "Dixmuyde and Deynſe, contrary to their capitulation (by "which they were made priſoners of war, and conſequent- "ly ſhould have been diſcharged within the limited time, "paying their ranſom, which was offered) had forced his "Britannic majeſty to that way of demanding ſatisfaction "for that infraction: That the marſhal's being arreſted was "not out of any diſreſpect to his perſon, but rather the con- "trary; for, when it was propoſed to the king of Great "Britain to detain the whole garriſon by way of repriſal, "his majeſty had expreſſed ſo much value of his perſon, that "he looked upon him as a ſufficient caution to anſwer for "ſix thouſand men, the number of the two garriſons of "Dixmuyde and Deynſe; but at the ſame time he had his "majeſty's order to offer him his liberty, if he would paſs "his word for ſending back the ſaid garriſons, or to return "himſelf a priſoner within a fortnight." To which Boufflers

1695.

Boufflers arreſted.

1695. anſwered, "That he could not paſs his word of honour in "a matter, which he could not execute himſelf: That, if he "were at the head of fifty thouſand men, he would not "ſuffer himſelf to be arreſted; but now he muſt ſubmit." Having ſaid this, he put up his ſword, and went back with his domeſtics to Namur, where the earl of Portland gave him a viſit, and told him as from himſelf, "That he made "no doubt of his releaſement upon his parole of honour." But the marſhal anſwered, "That, in regard he knew not "the reaſons why his maſter detained thoſe garriſons, he "could not engage for any thing." From Namur he was conducted to Maeſtricht, and treated in both places with all the civility and reſpect due to his quality. His confinement was not long; for upon the return of the captain of his guard, whom he ſent to give the French king an account of what had happened, and the marſhal's engaging his word that the garriſons of Dixmuyde and Deynſe ſhould be ſent back, as ſoon as he himſelf ſhould be ſet at liberty, the king ordered the governor of Maeſtricht to releaſe him, and give him a guard to conduct him ſafe to Dinant.

and releaſed again. Sept. 13.

The taking of Namur was reckoned one of the greateſt actions of the king's life, and indeed, one of the greateſt that is in the whole hiſtory of war. It raiſed his character much, both at home and abroad, and gave a great reputation to his troops: The king had the intire credit of the matter; his general officers having a very ſmall ſhare in it, being moſt of them men of low genius, and little practiſed in things of that nature. Coehorn, the chief engineer, ſignalized himſelf ſo eminently on this occaſion, that he was looked on as the greateſt man of the age; and out-did even Vauban, who had gone far beyond all thoſe, that went before him, in the conduct of ſieges: But it was confeſſed by all, that Cohorn had carried that art to a much farther perfection during this ſiege. The ſubaltern officers and ſoldiers gave hopes of a better race, that was growing up, and ſupplied the errors and defects of their ſuperior officers.

The officers were tried and proceeded againſt by councils of war, according to martial law; they were raiſed in the army by ill methods, and maintained themſelves by worſe; corruption had broke into the army, and oppreſſion and injuſtice were much complained of; the king did not approve of thoſe practices; but he did not inquire after them, nor puniſh them, with a due ſeverity; nor did he make difference enough between thoſe who ſerved well, ſold nothing, and uſed their ſubalterns kindly; and thoſe who ſet every thing

thing to ſale, and oppreſſed all that were under them; and, when things of that kind go unpuniſhed, they will ſoon make a great progreſs. 1695.

The news of the ſurrender of the caſtle of Namur no ſooner reached England, but it filled the hearts of all the well affected to the government with great joy; and the king's expreſſing his juſt reſentment for the affront put upon him, by the detaining the garriſons of Dixmuyde and Deynſe, was highly applauded. The lords juſtices having appointed a day of public thankſgiving for the ſucceſs of his majeſty's arms, the ſame was religiouſly obſerved in London, and throughout all England. But, amidſt theſe rejoicings, the diſaffected remained, as it were, thunderſtruck; and indeed their diſappointment was very great; for not only their hopes of ſeeing the confederates attempt upon Namur baffled were defeated, but many of them were ruined by the loſs of conſiderable wagers, which they had laid upon it. Among theſe wagerers was the famous Dr. Davenant. Sept. 9.

The king, having left the command of the army to the elector of Bavaria, went to Dieren, and from thence to Loo, his uſual receſs for diverſion and buſineſs; whilſt both armies continued in the field till the 25th of September, and then began to ſeparate. The French king's houſhold returned into their quarters, and moſt of the reſt of his troops retired within the lines. As for the allies, their forces were diſtributed into ſeveral neighbouring garriſons, except ſome detachments, which marched towards Newport, under the command of the prince of Wirtemberg, for the ſecurity of that place. And thus ended the campaign in Flanders. The king returns to Loo.

Nor was there any action upon the Rhine, where both armies were ſo equal in ſtrength, that they could only lie on the defenſive; neither ſide being ſtrong enough to undertake any thing. M. de l'Orge commanded the French, and the prince of Baden the Imperialiſts. L'Orge was ſinking as much in his health as in his credit; ſo a great body, as has been ſaid, was ordered to march from him to Villeroy, whilſt another equal to that, commanded by the landgrave of Heſſe, came and joined the king's army before Namur. Nothing done on the Rhine.

In Italy, there was nothing done in the field by force of arms: But an affair of great conſequence was tranſacted, in a very myſterious manner. The duke of Savoy, after a very long blockade, undertook the ſiege of Caſal; but he was ſo ill provided for it, that no good account of it could be expected; the king had ſo little hopes of ſucceſs, that he was not eaſily prevailed on to conſent to the beſieging it, but Caſel was ſurrendered.

1695. either the French intended to gain the pope and the Venetians, and, in concluſion, that duke himſelf, with this extraordinary conceſſion; or, ſince our fleet was then before Thoulon, they judged it more neceſſary to keep their troops, for the defence of their coaſt and fleet, than to ſend them to relieve Caſal; ſo orders were ſent to the governor to capitulate, in ſuch a number of days, after the trenches were opened: So that the place was ſurrendered, though it was not at all ſtraitened. It was agreed, that it ſhould be reſtored to the duke of Mantua, but ſo diſmantled, that it might give jealouſy to no ſide; and the ſlighting the fortifications went on ſo ſlowly, that the whole ſeaſon was ſpent in it, a truce being granted all that while. Thus did the French give up Caſal, after they had been at a vaſt expence in fortifying it, and had made it one of the ſtrongeſt places in Europe.

Affairs at ſea and in Catalonia.

The Engliſh fleet was all ſummer maſter of the Mediterranean. The French were put under great diſorder, and ſeemed to fear a deſcent; for Ruſſel came before Marſeilles and Thoulon oftner than once, and contrary winds forced him out again, but with no loſs. Though it was his opinion, that nothing could be done there, yet the honour of commanding the ſea, and of ſhutting the French within their ports, gave a great reputation to our affairs.

In Catalonia, the French made no progreſs; they abandoned Palamos, and made Gironne their frontier. The Spaniards once pretended to beſiege Palamos, but they only pretended to do it; they deſired ſome men from Ruſſel, for he had regiments of marines on board: They ſaid they had begun the ſiege, and were provided with every thing that was neceſſary to carry it on, only they wanted men; ſo he ſent them ſome battalions; but, when they came thither, they found not any one thing that was neceſſary to carry on a ſiege, not ſo much as ſpades, not to mention guns and ammunition: So Ruſſel ſent for his men again. But the French of themſelves quitted the place; for as they found the charge of the war in Catalonia was great, and though they met with a feeble oppoſition from the Spaniards, yet ſince they ſaw they could not carry Barcelona, ſo long as our fleet lay in thoſe ſeas, they reſolved to lay by, in expectation of a better occaſion. We had another fleet in our own channel, that was ordered to bombard the French coaſt: They did ſome execution upon St. Malo's, and deſtroyed Grandville, that lay not far from it: They alſo attempted Dunkirk, but failed

failed in the execution; ſome bombs were thrown into Calais, but without any great effect; ſo that the French did not ſuffer ſo much by the bombardment, as was expected: The country indeed was much alarmed by it; they had many troops diſperſed all along their coaſt; ſo that it put their affairs in great diſorder, and we were every where maſters at ſea. Another ſquadron, commanded by the Marquis of Caermarthen (whoſe father was created duke of Leeds, to colour the diſmiſſing him from buſineſs, with an increaſe of title) lay off from the iſles of Scilly, to ſecure our trade, and convoy our merchants: He was an extravagant man, both in his pleaſures and humours; he was ſlow in going to ſea; and, when he was out, he fancied the French fleet was coming up to him, which proved to be only a fleet of merchant-ſhips: So he left his ſtation, and retired into Milford Haven: By which means, that ſquadron became uſeleſs. 1695.

This proved fatal to our trade, many of our Barbadoes ſhips being taken by French cruizers and Privateers: Two rich ſhips, coming from the Eaſt-Indies, were alſo taken, an hundred and fifty leagues to the weſtward, by a very fatal accident, or by ſome treacherous advertiſement; for cruizers ſeldom go ſo far into the ocean: And, to compleat the misfortunes of the Eaſt-India Company, three other ſhips, that were come near Galway on the weſt of Ireland, fell into the hands of ſome French privateers: Thoſe five ſhips were valued at a million, ſo here was great occaſion of diſcontent in the city of London. They complained, that neither the admiralty, nor the Government, took the care that was neceſſary for preſerving the wealth of the nation. A French man of war, at the ſame time, fell upon our factory on the coaſt of Guinea; he took the ſmall fort we had there, and deſtroyed it; theſe misfortunes were very ſenſible to the nation, and did much abate the joy, which ſo glorious a campaign would otherwiſe have raiſed; and much matter was laid in for ill humour to work upon.

The king, having ſettled with the ſtates-general the ſtate of the war for the next year, embarked in the Maeſe, aboard the William and Mary yatch, and the next day ſafely landed at Margate, being attended in his paſſage by a ſquadron of Engliſh and Dutch men of war, commanded by Sir Cloudeſly Shovel. That night the king lay at Canterbury, and next day came through London and Weſtminſter to Kenſington; the people expreſſing their great joy for his ſafe return, by loud acclamations, illuminations, and bonfires. The king returns to England. Octob. 10.

1695. The king was no ſooner arrived at Kenſington, but he called a council, wherein it was debated, whether a new parliament ſhould be ſummoned, or the old one be brought together again, which by the law that was lately paſſed, might ſit till Lady-day. It was urged, that the happy ſtate, which the nation was in, had put all men, except the merchants, in a good temper. None could be ſure, that affairs ſhould be in ſo good a ſtate the next year; ſo that now probably elections would fall on men, who were well-affected to the government. A parliament, which ſaw itſelf in its laſt ſeſſion, might affect to be froward, ſince the members, by ſuch a behaviour, might hope to recommend themſelves to the next election. Beſides, if the ſame parliament ſhould be continued, probably the enquiries into corruption would be carried on, which might divert them from more preſſing affairs, and kindle greater heats; all which might be more decently dropped by a new parliament, than ſuffered to lie aſleep by the old one. Theſe conſiderations prevailed, though it was ſtill believed, that the king's own inclinations led him to have continued the parliament one ſeſſion longer; for he reckoned, that he was ſure of the majority. Thus this parliament was brought to a concluſion, and a new one was ſummoned by proclamation to meet at Weſtminſter the 22d of November.

A new parliament called. Burnet.

The late ſucceſs of the king's arms inclined many perſons to chuſe members well affected to him. The jacobites were ſo decried, that few of them were elected; but many of the ſourer ſort of whigs, who were much alienated from the king, were choſen. Theſe were generally men of eſtates, but many of them young, hot, and without experience.

The king's progreſs to the North. Burnet. Kennet. Oct. 17.

During the elections for the new parliament, the king made a progreſs to the north, in the courſe of which he ſtudied to conſtrain himſelf to a little more openneſs and affability, than was natural to him: but his cold and dry way had too deep a root, not to return too frequently upon him. He began his progreſs with the diverſions at Newmarket, and where he received the compliments of the univerſity of Cambridge; and, having ſtaid there three days, on the 21ſt of October went to Althorp, in Northamptonſhire, a ſeat of the earl of Sunderland, which was the firſt public mark of the high favour, that earl was in. Whilſt there, he made a viſit to the earl of Northampton at Caſtle-Aſhby, and to the earl of Montague at Boughton, and was ſplendidly entertained at both places. From Althorp he went to Stamford, and in his way took a view of Burghley-houſe without ſeeing the owner;

owner; and proceeded to Lincoln, attended by ſeveral of the nobility and a great train of gentlemen, who reſorted from all the neighbouring parts to ſee him; and having heard prayers at the cathedral, he purſued his journey to Welbeck, the duke of Newcaſtle's ſeat in Nottinghamſhire. Here Dr. Sharp, archbiſhop of York, with his clergy waited upon him the 2d of November, and congratulated his happy ſucceſs and ſafe return; expreſſed their gratitude for his care of the church, who had ſhewn himſelf truly the defender of the faith; aſſured him of their fidelity and loyalty; prayed for all bleſſings to attend him; and recommended themſelves to his protection, which his majeſty aſſured them of, and of all other demonſtrations of grace and favour. The next day the king left Welbeck, and came that evening to the earl of Stamford's at Broadgate. On the 4th of November, he went to the lord Brooke's at Warwick-Caſtle; from whence he departed the next day, and dined with the duke of Shrewſbury at Eyefort, arrived in the evening at Burford, and three days after came to Woodſtock [b]. From this place he went on the 9th of November to Oxford, and was met at ſome diſtance from thence by the duke of Ormond, chancellor of that univerſity, the vice-chancellor, and the doctors in their habits, as alſo by the magiſtrates of the city in their formalities; and, the compliments of both being made to him, they proceeded to the eaſt-gate of the ſchools, the conduit of the city running all the while with wine. The king alighting paſſed

1695.

[b] The king lay at Mr Cary's, an old gentleman of near a hundred years of age, who had been ſervant to James I. Charles I. Oliver Cromwel, Charles II. James II. and was then ſervant to king William, of whom the following ſtory is told. "The "king being informed of a humour of his in ſhewing his "pictures, deſired to ſee them; "and pretending not to know "whom they were drawn for, "aſked of the firſt in order, who "that was? "That, replied "Cary, was my good old maſter king James I. I ſerved "him ſeveral years. Who is "next? ſays his majeſty. That, "ſir, replied Cary, is my good "maſter king Charles I. he "was a good maſter to me, let "them ſay what they will of "him. Pray who is the next? "the king ſaid. Why truly "ſir, replied Cary, that is my "maſter Oliver Cromwell, he "too was my very good maſter; and ſo was the next "there, king Charles II. and "the next, king James II. and "ſo now is your majeſty, whoſe "picture there is ſtill room for." Whether the king gave him his picture does not appear; but he was pleaſed at the old gentleman's ſimplicity in his way of ſetting out his pictures, which it ſeems had been all given him.

directly

1695. directly to the theatre, where Mr. Charles Codrington, fellow of All Souls College, and afterwards governor of the Leeward iſlands, ſupplied the place of the univerſity orator, who happened to be indiſpoſed, and expreſſed the public thanks of the univerſity in an elegant ſpeech [c]. The chancellor on his knees made the uſual preſents, of a large Engliſh bible and common prayer-book, the cuts of the univerſity, and a pair of gold fringe gloves. And becauſe it was expected, that the king would do the univerſity the honour of dining amongſt them, a magnificent banquet was prepared, with great variety of muſic. But the duke of Ormond having communicated to him, a letter addreſſed to his grace by a nameleſs perſon, and dropped in the ſtreet the day before, wherein information was given of a pretended deſign to poiſon him at this entertainment, the king reſolved neither to eat or drink, and immediately took coach for Windſor, declaring, as a reaſon of his ſhort ſtay, and his not going to ſee the colleges, "That this was a viſit of kindneſs, not of curioſity, he having ſeen the univerſity before." However, this abrupt departure of the king might be reſented by the univerſity, they choſe for one of their repreſentatives ſir William Trumbal, ſecretary of ſtate.

[c] He was ſon of col. Codrington, governor of the Leeward iſlands, of which himſelf was alſo afterwards governor. He was alſo captain of a company of guards, and behaved very gallantly at the ſiege of Namur. He was a man of learning and wit, as well as bravery; the ſame to whom Creech dedicated his Latin edition of Lucretius with notes, and who left a fine library, and ten thouſand pounds in money to his college.

CHAP.

CHAP. IV.

State of affairs at the meeting of the parliament.—Act for trials of treaſon,—The money recoined.—Affair of the Scotch India company.—A grant to the earl of Portland revoked.—The aſſaſſination-plot and French invaſion.—An aſſociation ſigned by both houſes and all over England,—A land bank erected.—The royal aſſent denied to a bill about elections.—The parliament prorogued.—The conſpirators tried.—Campaign abroad feebly carried on.—Peace offered by France.—Affairs of Piedmont.—Separate peace between France and Savoy.—Affairs of Scotland and Ireland.—Proceedings of the parliament.—Public credit reſtored,—great ſcarcity of money.—Fenwick's affair,—he is executed.—Practices againſt the duke of Shrewsbury.—Privileged places diſfranchiſed.—Parliament prorogued.

THE parliament being met the 22d of November, and the commons having choſen Mr. Foley again for their ſpeaker, the king made the following ſpeech to both houſes:

"My lords and gentlemen,

"IT is with great ſatisfaction, that I meet you here this "day, being aſſured of a good diſpoſition in my parliament, when I have had ſuch full proofs of the affection of "my people, by their behaviour during my abſence, and at "my return. I was engaged in this preſent war by the advice of my firſt parliament, who thought it neceſſary for "the defence of our religion, and the preſervation of the "liberties of Europe. The laſt parliament with great cheerfulneſs did aſſiſt me to carry it on; and I cannot doubt, "but that your concern for the common ſafety will oblige "you to be unanimouſly zealous in the proſecution of it. "And I am glad, that the advantages, which we have had "this year, gives us a reaſonable ground of hoping for further ſucceſs hereafter.

"Upon this occaſion I cannot but take notice of the "courage and bravery, which the Engliſh troops have ſhewn "this laſt ſummer, which I may ſay, has anſwered their "higheſt character in any age. And it will not be denied, "that, without the concurrence of the valour and power

"of

1695. " of England, it were impoſſible to put a ſtop to the ambition " and greatneſs of France.

" Gentlemen of the houſe of commons,

" I think it a great misfortune, that, from the beginning " of my reign I have been forced to aſk ſo many and ſuch " large aids of my people; and yet I am confident you will " agree with me in opinion, that there will be at leaſt as " great ſupplies requiſite for carrying on the war by ſea and " land this year, as was granted in the laſt ſeſſion; the ra- " ther, becauſe our enemies are augmenting their troops, " and the neceſſity of increaſing our ſhipping does plainly " appear.

" The funds which have been given, have proved very " deficient.

" The condition of the civil liſt is ſuch, that it will not be " poſſible for me to ſubſiſt, unleſs that matter be taken into " your care.

" And compaſſion obliges me to mention the miſerable " circumſtances of the French proteſtants, who ſuffer for " their religion.

" And therefore, gentlemen, I moſt earneſtly recom- " mend to you to provide a ſupply ſuitable to theſe ſeveral " occaſions.

" I muſt likewiſe take notice of a great difficulty we lie " under at this time, by reaſon of the ill ſtate of the coin, " the redreſs of which may perhaps prove a further charge " to the nation. But this is a matter of ſuch general con- " cern, and of ſo very great importance, that I have thought " fit to leave it entirely to the conſideration of my parlia- " ment. I did recommend to the laſt parliament the form- " ing ſome good bill for the encouragement and increaſe of " ſeamen. I hope you will not let this ſeſſion paſs without " doing ſomewhat in it; and that you will conſider of ſuch " laws, as may be proper for the advancement of trade, and " will have a particular regard to that of the Eaſt-Indies, " leſt it ſhould be loſt to the nation. And, while the war " makes it neceſſary to have an army abroad, I could wiſh " ſome way might be thought of to raiſe the neceſſary re- " cruits, without giving occaſion of complaint.

" My deſire to meet my people in a new parliament has " made the opening of this ſeſſion very late; which I hope " you will have ſuch regard to, as to make all poſſible diſ- " patch of the great buſineſs before you, and will call to " mind, that, by the long continuance of the laſt ſeſſion,

" we

" we did not only loſe advantages, which we might have had 1695.
" at the beginning of the campaign, but gave the enemy
" ſuch an opportunity, as might have proved very fatal to us.
" And I am the more concerned to preſs this, becauſe of
" the great preparations, which the French make to be early
" in the field this year.

" My lords and gentlemen,

" I have had ſuch experience of your good affections, and
" I have ſuch an entire ſatisfaction in the choice, which my
" people have made of you, gentlemen of the houſe of com-
" mons, that I promiſe myſelf a happy concluſion of this
" ſeſſion unleſs you ſuffer yourſelves to be miſled into heats
" and diviſions, which being the only hope our enemies have
" now left, I make no doubt but you will entirely diſappoint
" by your prudence and love to your country."

Both houſes in their reſpective addreſſes, with great zeal and unanimity, congratulated the glorious ſucceſs of his majeſty's arms abroad and his ſafe return home; and likewiſe returned thanks for the truſt and confidence, which he repoſed in their affections; aſſuring him, that they would ſupport him againſt all his enemies foreign and domeſtic, and effectually aſſiſt him in the proſecution of the preſent war, in which he was engaged for the ſafety of England and liberty of Europe [d]. Addreſſes of both houſes.

[d] The ducheſs of Marlborough in the account of her conduct, (p. 113.) relates a particular, which ſhews that the reconciliation between the king and the princeſs of Denmark was not real. The princeſs, whilſt the king was congratulated upon his taking Namur, ſent him the following letter on that occaſion.

" SIR,

" Though I have been unwilling to give you the trouble " of a letter upon any other occaſion, yet, upon one ſo glorious to your majeſty as the " taking of Namur, I hope you " will give me leave to congratulate your good ſucceſs, which " don't pleaſe me ſo much upon " any other account, as for the " ſatisfaction, that I am ſenſible " your majeſty muſt needs feel " in this great addition to the " reputation of your arms. And " I beg leave, ſir, to aſſure " you, that, as no body is more " nearly concerned in your intereſts, ſo no body wiſhes " more heartily for your happineſs and proſperity at home " than

" Your, &c.
ANNE.

To this handſome compliment the king returned no anſwer.

Be-

1695. Before the proceedings of the parliament are related, it will not be improper to take a view of the difficulties that lay in their way. In defence of the new ſettlement the nation was involved in a very burthenſome war, with a formidable monarch, who, having eſpouſed the quarrel of the late abdicated king James, was uſing his utmoſt endeavours to re-inthrone him. But, beſides this open enemy, there was a great deal to fear from the diſcontented at home. For, though the body of the nation was infinitely pleaſed with the late revolution, yet a conſiderable number, partly out of principle, partly out of intereſt, were impatient of their deliverance, which, in their opinion, was accompliſhed by unjuſtifiable means. Not only the Roman catholics, but a great number of proteſtants, and ſuch as were the creatures and dependents of the late government, were become enemies of the preſent ſettlement; and, by open as well as clandeſtine ways, endeavoured to diſtreſs or ſubvert it. And all methods, which wit and malice could ſuggeſt, were employed to weaken the reputation of the government, and to increaſe the fears of the people. The public miniſters were traduced and expoſed to contempt. The loſſes, which befel the nation, were attributed to treachery or negligence, and highly aggravated; while, on the other hand, the advantages, which the king at any time obtained, were extenuated and ſlighted. The parliament reſolving to carry on the war with vigour, were obliged to lay great taxes on the people; and, the war continuing ſo long, they could not be inſenſible of the burden. Of this the diſcontented took the advantage, and repreſented in all companies, that the government muſt of neceſſity ſink under its own weight; and theſe heavy taxes, by reducing the nation to extreme poverty, would inevitably prove its deſtruction. They never ceaſed declaiming on this popular ſubject, in hopes to make the people weary of a government, which was repreſented ſo burdenſome; and at laſt perſuade them rather to let in the deluge, than to be at the expence of maintaining their banks.

State of affairs at the meeting of the parliament.

Beſides the profeſſed adherents to king James's intereſt, there were others, who, though great aſſertors of the late revolution, and averſe enough to a ſecond, yet, from ſome private diſguſts, perſonal quarrels, and diſappointments, grew uneaſy; and in order to gratify their reſentments, endeavoured to bring the adminiſtration into contempt. They were for breaking the confederacy, and againſt raiſing ſuch large ſums of money for carrying on the war. They were for diſtreſſing the government, but not for overturning it. In ſhort, they were againſt

againſt all things, which the known enemies of the preſent ſettlement were againſt, and for all things, which they were for, except the reſtoration of the late king; that is, they were for all means, that could certainly bring about the end, but not for the end itſelf. However, under this plauſible pretence of declaring againſt great taxes, and other popular oppoſitions, they thought to recommend themſelves to their country as great patriots; ſuppoſing, that the character of a patriot was, without diſtinction of times or perſons, to be ever againſt the court; though they could not but be ſenſible, that the preſervation of their religion, laws, and liberties, was inſeparably interwoven with that of the preſent ſettlement; that the face of affairs was ſo far altered by the revolution, that the intereſt of their country was plainly the ſame with that of the court; which appeared as well by the oppoſition, that was made to it by all thoſe, whom theſe men themſelves ever looked upon as the greateſt promoters of popery and arbitrary power, as by the principles of liberty, by which the government was firſt ſet up, and without which it could not ſtand. 1695.

The French after taking of Namur (a blow, which wounded them in ſo ſenſible a part) grew very diffident of the iſſue of the war. They expreſſed by their behaviour and language, how much their hopes of ſubduing England by open force were abated; and they could not but foreſee, that, if king William could appear in the field the next ſummer in the ſame circumſtance, as he did the laſt, it would be very hard, if not impoſſible, for them to oppoſe his arms. To prevent this they had two things to wiſh and promote; one was to embroil the nation's affairs by creating mutinies at home, the other to ruin its credit, and thereby diſable the king from carrying on the war abroad. The firſt they hoped would be effected by the ill ſtate of the coin; for to attempt its cure, they judged, would alike produce ſuch inteſtine diſorders, as would prove the ruin of the nation. For this reaſon they engaged their friends in England to exert themſelves with the utmoſt diligence, to aggravate the inconveniencies of not recoining the ſilver money, if that ſhould be neglected; or to embarraſs, as much as they were able, the methods of recoining it, in caſe that ſhould be agreed on, and thereby make it grievous and inſupportable. And in caſe this great buſineſs ſhould, contrary to all probability, be accompliſhed without the confuſion, that was expected to follow, they were inſtructed to leave no arts untried, whereby they might deſtroy the public credit, and particularly that of the bank of England, which was then the great ſupport of the nation, and was by experience found to be ſo the following ſummer, when

1695. when it contributed ſo much to the ſupport of the army. If either of theſe deſigns, and much more if both ſucceeded, they were well ſatisfied it would be impoſſible for the king to appear in Flanders the next ſpring in that formidable manner he did the year before. Add to all this, that at this time, though it was plain by the event, that the nation had treaſure enough to ſupport the war, yet the ways of coming at it were grown very difficult. The former parliaments choſe rather to eſtabliſh funds for public ſupplies, than to uſe any methods of raiſing them within the year; divers branches of the king's revenue were by his own conſent ſubjected to great anticipations, and the moſt eaſy and obvious funds were already ſettled, and ſufficiently loaded; ſo that by the continuance of the war it became much harder for this than for the preceding parliaments, to find out ways to defray the charges of it. Such was the poſture of affairs, when this parliament met.

An Act concerning trials for treaſon. Burnet. Pr. H. C. III. 3.

Four days after the meeting of the parliament the bill for regulating trials in caſes of high-treaſon, which had been ſo long purſued, was brought into the houſe of commons, and at laſt carried by the tories. The deſign of it ſeemed to be to make men as ſafe in all treaſonable conſpiracies and practices as was poſſible; it being enacted, "that all perſons, "indicted for high-treaſon, or miſpriſion of ſuch treaſon, "ſhall have a copy of the whole indictment, but not the "names of the witneſſes, five days at leaſt before they ſhall "be tried; and ſhall be admitted to make their defence by "counſel learned in the law, not exceeding two. That no "perſon ſhall be indicted or attainted of treaſon, or miſpri-"ſion of treaſon, but by the oaths and teſtimony of two "lawful witneſſes, either both to the ſame overt-act, or one "to one, and the other to another overt-act of the ſame "treaſon, unleſs the party in open court confeſs the ſame, or "ſtand mute, or refuſe to plead, or peremptorily challenge "above thirty-five of the jury. That where two or more "diſtinct treaſons of divers kinds ſhall be alledged in one "bill of indictment, one witneſs to one, and another wit-"to another, ſhall not be deemed two witneſſes. That no "perſon ſhall be proſecuted for any ſuch crime, unleſs the "indictment be found within three years after the offence "committed; provided and excepted, that any perſon de-"ſigning or attempting to aſſaſſinate or poiſon the king may "be proſecuted at any time, notwithſtanding the ſaid li-"mitation. That all perſons, indicted of ſuch treaſon, or "miſpriſion of treaſon, ſhall have copies of the panel of the "jurors,

" jurors, two days at leaſt before their trial, and ſhall have 1695.
" like proceſs to compel their witneſſes to appear for them,
" as is uſually granted to witneſſes againſt them. That no
" evidence ſhall be admitted of any overt-act, that is not
" expreſly laid in the indictment. And that this act ſhall
" not extend to any impeachment or other proceedings in
" parliament; nor to any indictment for counterfeiting his
" majeſty's coin his great ſeal, privy ſeal, ſign manual or
" ſignet."

All theſe things were in themſelves juſt and reaſonable; and, if they had been moved by other men, and at another time, they would have met with little oppoſition. This act happened to paſs but a few days before the diſcovery of the aſſaſſination plot, and the benefit of it was claimed and enjoyed by ſome of the conſpirators. It was obſerved, that thoſe members of both houſes, who chiefly promoted it, had been concerned in the illegal proſecutions for treaſon in the late reigns. When the bill was ſent up to the lords, the clauſe ſo often inſiſted on was again added, that to the trial of a peer all the peers ſhould be ſummoned, which was not eaſily carried; for thoſe, who wiſhed well to the bill, looked on this as a device to have it dropped by the commons, as no doubt it was, and therefore they oppoſed the clauſe; but, contrary to the hopes of the court, the commons were ſo deſirous of the bill, that, when it came down to them, they agreed to the clauſe, on account of which the ſame bill had been ſo often rejected, and the act received the royal aſſent. [e].

The

[e] It is remarkable, that, while this bill was depending in the lower-houſe, the lord Aſhley, afterwards earl of Shaftſbury, and author of the Characteriſtics, who was then a member of that houſe, and very zealous for the bill, and particularly that part of it, which allows counſel to a priſoner, had prepared a ſpeech in its behalf, which thoſe, to whom he ſhewed it, thought a very proper one on the occaſion. But, when he ſtood up to ſpeak it in the houſe of commons, the great audience ſo intimidated him, that he loſt all memory, and was unable to proceed. The houſe, after giving him a little time to recover his confuſion, called loudly upon him to go on, when he proceeded to this effect: " If I, ſir (addreſſing " himſelf to the ſpeaker) who " riſe only to give my opinion " on the bill now depending, " am ſo confounded, that I am " unable to expreſs the leaſt of " what I propoſed to ſay; what " muſt the condition of that " man be, who without any " aſſiſtance is pleading for his " life,

1695. The many protections given to the ſervants of parliament-men, and the taking men into cuſtody upon complaints of the breach of thoſe protections, was really become a grievance to the ſubject; and therefore it was ordered, that all protections and written certificates of the members of this houſe be declared void in law, and be forthwith withdrawn and called in, and that none be granted for the future; and that if any ſhould be granted by any member, ſuch member ſhall be liable to the cenſure of this houſe; and that the privileges of their menial ſervants be obſerved according to law; and that if any menial ſervant ſhall be arreſted and detained contrary to privilege, he ſhall, upon complaint thereof made to the ſpeaker, be diſcharged by order from him: and that no perſon ſhall be taken into cuſtody upon complaint of any breach of privileges of this houſe, before the matter be firſt examined; which order was not to extend to any breach of privilege upon the perſon of any member of this houſe.

Order for no written protections. Nov. 30. Kennet.

The next thing to be conſidered was the ſupply for the year 1696. The demand was ſtill very high, and there was a great arrear of deficiencies; however all was readily granted, amounting to five millions, twenty-four thouſand, eight hundred, fifty-three pounds [d], and lodged on funds that ſeemed to be very probable.

The ſupplies granted.

Purſuant to that part of the king's ſpeech relating to the civil liſt, and to the diſtreſſed condition of the French proteſtants, the commons alſo ſettled a fund for raiſing five hundred thouſand pounds for the civil liſt, and fifteen thouſand pounds a year for the French proteſtants [e].

Civil liſt ſettled. Mar. 17. Pr. II. C. III. 22.

The

" life, and under apprehenſions " of being deprived of it?" This ſudden turn of wit (which by ſome was imagined to be premeditated, though it really was not) is ſaid to be of ſervice in promoting the bill. Gen. Dict. Hiſt. and Crit. Vol. IX. p. 179.

[d]

	l.
For the navy	2,500,000
For two marine regiments	16,973
For the army, conſiſting of 87,445 horſe, foot, and dragoons,	2,007,881
For the ordnance, etc.	500,000
	5,024,853

[e] The funds for raiſing the ſupplies and the civil liſt, were,

1. A land tax of four ſhillings in the pound.

2. Duties continued upon wine and vinegar, tobacco, Eaſt-India goods, and other merchandizes from 1698 to 1701.

3. Addi-

1695.

The state of the coin consider'd Pr. H. C. III. 4. etc. Works of lord Halifax. Burnet. Boyer.

The ill state of the coin was the greatest difficulty the nation now laboured under, a mischief which the last parliament had attempted to cure, but which, through the application of too gentle remedies, was become almost desperate. The disaffected saw it with joy, and had their eyes and hopes long fixed on the effects this might produce. The Jacobites promised to themselves great matters from the destruction of credit and trade, which they doubted not would soon be the consequence of this grievance; which though the friends to the government were fully convinced ought to be redressed, yet how to effect it, in such a conjuncture, without bringing the nation into the utmost confusion, was a very difficult task.

Arguments against rectifying it.

Pursuant to the clause in the king's speech, the commons took the affair of the coin into consideration, and there were great and long debates about the proper remedies. The first question was, whether it was necessary or expedient to re-coin the silver money? The recoining was warmly opposed by the party, who hoped to embroil matters. "They alledged, this was no fit conjuncture for it, whilst the nation was engaged in a burdensome and doubtful war, by which the kingdom had already greatly suffered, and of which it grew every day more sensible. That therefore the people, on whose good affection the government so much depended, should not be provoked by fresh grievances greater than any they had yet felt, as those would certainly be, that must arise from the calling in the silver coin. That if this was done, however things might be managed and accommodated at home, it were impossible to maintain either the commerce or the war abroad; for neither the merchant could be paid his bills of exchange, nor the soldier receive his subsistence. That this was to lay the ax to the root, and to dig up the foundations of the government. That if this design was prosecuted, trade must stand still for want of mutual payments; whence such disorder and confusion would certainly follow, as would discourage and dishearten the people in the highest measure, if not drive them to a perfect despair, as despair would to

3. Additional duty upon all French goods, wine twenty-five pounds a ton, brandy thirty pounds a ton, vinegar fifteen shillings a ton, all other French goods twenty-five pounds per cent. ad valorem, for the term of twenty one years.

4. Duties upon low-wines, or spirits of the first extraction.

5. Duties continued upon salt, glass-wares, tobacco-pipes, etc.

1695. "the most terrible extremities. That therefore the recoining the money at this time was by no means to be attempted without hazarding all."

Reasons for it. It was alledged by those of the contrary opinion, at the head of whom appeared Mr. Charles Montague chancellor of the exchequer: "That the mischief would be fatal, if a present remedy was not found out and applied. That, by reason of the ill state of the coin, the change abroad was infinitely to the nation's prejudice. That the supplies that were raised to maintain the army, would never attain their end, being so much diminished and devoured by the unequal change and exorbitant premium before they reached the camp. That this was the unhappy cause that the guineas advanced to thirty shillings, and foreign gold in proportion. That therefore, to the nation's great loss, not only the Dutch, but indeed all Europe, sent that commodity to this market, and would continue to do so till this nation should be impoverished and undone by plenty of gold. That we must exchange for their gold our goods or silver, till at last we should have only guineas to trade withal, which nobody could think our neighbours would be so kind to receive back at the value they were at here. That therefore this disease would every day take deeper root, infect the very vitals of the nation, and, if not remedied, would soon become incurable. That our enemies must be extremely intimidated by so great an action, and would sooner be inclined to agree to honourable terms of peace, in case they saw us able to surmount this difficulty of retrieving the ill state of the coin, on which their hopes of the nation's speedy ruin so much depended. And that it would justly create a mighty esteem abroad of the greatness and wisdom of the parliament of England, which was able to conquer such an obstinate and almost insuperable evil in such a juncture of affairs."

This

The true date of the money appears from the printed report concerning An Essay for the Amendment of the Silver Coins, London, 1695. The author first computes all the silver money coined in the reign of Queen Elizabeth, James I. and Charles I.

	l.	s.	d.
The silver hammered money coined in the reign of Elizabeth, exclusive of some Irish monies, amounted to -	4,632,932	3	2½
The silver monies coined in the reign of James I. are computed at -	1,700,000		
Carried forward	6,332,932	3	2½

This matter being fully debated, the parliament reſolved to call in and recoin the ſilver money, chuſing rather to run the hazard 1695.

	l.	s	d.
Brought forward	6,332,932	3	2¾
In king Charles I's reign was coined of ſilver money	8,776,544	10	3
In all	15,109,476	13	5¾

Then he conſiders how far this ſum is to be abated.

Firſt, all queen Elizabeth's crowns, half-crowns, groats, quarter-ſhillings, half groats, three-half-penny pieces, three-farthing pieces, and half-pence, are wholly ſunk.

Secondly, great numbers of her ſhillings and ſix-pences are melted down or loſt.

Thirdly, the crowns, groats, two-pences, pence, and half-pence of James I. and Charles I. are quite gone; with many of their half-crowns, ſhillings, and ſix-pences. So that he reckons there was not left above a third part of the whole, coined in thoſe three reigns, l. 5,036,492

To this he adds the unmelted Coins of Charles II. James II. and king William, which he ſuppoſed to amount to about 563,508

So the whole of the ſilver money, clipped and unclipped, hoarded and current, then was 5,600,000

Of this ſum he reckons four millions conſiſted of clipped money, and the remaining million ſix hundred thouſand pounds to be unclipped, and lying in hoards or current in the remote counties.

The author proceeds to compute how far the clipped pieces may have been diminiſhed in the weight. In order to this, he obſerves, that of one hundred pounds ſterling in ſilver, according to the ſtandard of the mint, ought to be thirty-two pounds, three ounces, one penny-weight, and twenty-two grains Troy. Now there had been brought in promiſcuouſly, in the months of May, June, and July, 1695, five hundred ſeventy-two bags, of one hundred pounds each;

	lb.	oz.	pw.	gr.
Which five hundred ſeventy-two bags, according to the ſtandard, ſhould have weighed, Troy weight,	18,451	6	16	8
But upon examination they weighed only	9,480	11	5	0
Deficiency	8,970	7	11	8
The weight of a hundred pounds ſterling, according to the ſtandard	32	3	1	22
The medium of the weight of each hundred pounds of the clipped money,	16	8	18	0
The medium of the deficiency,	15	6	3	22

1695. zard of ſome great inconveniences by attempting the cure o the diſeaſe, than by their longer neglect of it to expoſe the kingdom to apparent ruin.

The next ſtep was to conſider, "Whether the ſeveral de-"nominations of the new money ſhould have the ſame "weight and fineneſs with the old; or, whether the eſtab-"liſhed ſtandard ſhould be raiſed?" This queſtion produced many debates. Thoſe who were for raiſing the ſtandard alledged, "That the price of an ounce of ſilver bul-"lion was advanced to ſix ſhillings and three pence, and "therefore the ſtandard ought to be raiſed to an equality. "That the raiſing of the ſtandard would prevent the export-"ation of the coin, which of late had been much practiſed "to the great prejudice of this kingdom. That it would "prevent its being melted down; and that thereby people "would be much encouraged to bring in their plate and bul-"lion into the mint."

The other party, who were for preſerving the old ſtandard, urged, that the worth of money was relative, and to be rated by the meaſure of ſuch goods, labour, advice, ſkill, or other aſſiſtances as could be purchaſed from another by our parting with it. That the value of money among foreigners, who lived under different municipal laws, was intrinſic, and conſiſted in its weight and fineneſs. That common conſent had given it this value, for the common conveniency of ſupplying one another's wants. That the weight and fineneſs was the only worth that other nations regarded in our coin, as we in theirs; all money being between ſubjects of different governments of no greater value, except the workmanſhip, than ſo many pieces of uncoined bullion. That therefore, ſhould our ſtandard be altered, we ſhould ſtill be upon the ſame foot with our neighbours; for, if we were to pay

Hence it appears, that the current ſilver coins were diminiſhed near one half, about the proportion of 10 to 22. Conſequently, if there were four millions of clipped money to be re-coined, it would make but about two millions; ſo there would be a loſs of about that ſum. The real loſs proved to be 2,200,000 l. as will be ſeen hereafter.

The preſent ſtandard for gold is twenty-two carats (or half ounces) of fine, and two carats of alloy. For the ſilver, eleven ounces two penny-weights fine, and eighteen penny-weights alloy. So that, in a pound troy of ſilver, which is coined into ſixty-two ſhillings, there are eighteen penny-weights of alloy; and in a pound Troy of gold, which is coined into forty-four pounds ten ſhillings, there is one ounce of alloy.

them

them for their goods, or exchange our money with theirs, 1695.
whatever denomination we gave our money, they would in
their change ever reduce it to an equality with theirs, and
proportion the quantity and goodneſs of their commodities to
the weight and fineneſs of the money they were to receive
for them; ſo that, in reſpect of our foreign commerce, there
was no reaſon to alter our ſtandard. That at home, if the
ſtandard were raiſed, great confuſions would attend it; the
landlord would be defrauded of a great part of his rents, and
the creditor of his debts. That the ſeaman and the ſoldier
would be wronged in their pay; and many the like injuries
and inconveniences would happen. That it was no anſwer
to ſay, that they might buy as many goods and conveniencies
of life with this coin raiſed above its ſtandard, as they could
before, becauſe, by degrees, the ſeller would infallibly raiſe the
price of his goods in proportion to the new raiſed ſtandard;
and that of this there was an inſtance before them, all com-
modities being raiſed in their price while guineas were paid
for thirty ſhillings. That whereas it was alledged that the
price of bullion was riſen to ſix ſhillings and three pence, and
therefore the ſtandard of the ſilver coin ought to be raiſed
likewiſe; it was replied, that it was a thing impoſſible that
the price of ſilver could riſe and fall in reſpect of itſelf: that
it was an unchangeable truth, than which no mathematical
demonſtration could be clearer, that an ounce of ſilver would
ever be worth another ounce of the ſame fineneſs and no
more; allowing ſome inconſiderable diſparity upon account
of the coin, if one ounce be in money and the other in bul-
lion. That it was true indeed, that the people commonly gave
ſix ſhillings and three pence for an ounce of bullion; but that
they gave only clipped pieces, that had no more than the
ſound of ſhillings and pence, but were by no means the things
themſelves; that is, they were not the ſtandard ſhillings of
due weight and fineneſs, and were no more ſo, in the juſt
ſenſe of the word, than an ell is an ell when the third part
of it is cut off. That the caſe was ſo plain, that when they
demanded of thoſe, who affirmed an ounce of bullion to be
worth ſix ſhillings and three pence, whether they meant
ſix milled ſhillings and three pence, they knew not what
to reply; for this alteration of the value of bullion was
merely in relation to diminiſhed money. And, to make
it yet more evident, they urged, that it was matter of
fact, that with five ſhillings and two pence of new milled
money, they could buy as much bullion as they pleaſed;
while thoſe who bought it with clipped pieces paid ſix ſhillings
and three pence. That whereas it was urged that the raiſing

1695. the ſtandard would prevent the exportation of our money. it was anſwered that there was no other way poſſible to keep our money at home than by out-trading our neighbours; that is, by ſending them more commodities, or of greater value, than thoſe which we receive from them. For if, upon the ballance, we were found in their debt, there was no way left but to pay it in coin or bullion; and that therefore, whatever denomination we gave our coin, we muſt be neceſſitated to ſend it abroad, if the commodities we exported could not pay our debts. And that all the other arguments for raiſing the ſtandard would ſink to the ground, in caſe theſe two, on which the reſt were built, had no reaſonable foundation.

It is reſolved to coin the money according to the ſtandard.

After the debates on this ſubject, the commons reſolved to recoin the clipped money, according to the eſtabliſhed ſtandard of the mint, both as to weight and fineneſs; and, to make it more eaſy to the people, they voted a recompence for the deficiency of the clipped money; and that the loſs of ſuch clipped money ſhould be borne by the public, and a fund of one million two hundred thouſand pounds ſettled for that purpoſe. Accordingly, for raiſing that ſum, a tax for ſeven years was laid upon all dwelling houſes, except cottages (now called the window-tax) namely, two ſhillings yearly upon each houſe, four ſhillings upon every houſe having ten windows, and eight ſhillings upon ſuch houſes as have twenty windows over and above the two ſhillings.

Dec. 10.

The parliament was not inſenſible of the inconveniences that would attend the calling in and recoining of the clipped money, the principal of which would be a ceſſation of payments, and thereupon an interruption of commerce. It was plain that England could not ſubſiſt, unleſs ſome expedient was found out to ſupport its trade till the new money returned from the mint; and, ſince gold alone was not ſufficient for that purpoſe, to fix upon ſuch an expedient was a very difficult thing. They therefore agreed to call in the money by degrees; that, while ſome denominations of coin were ſuppreſſed, others might be current; hoping, that before the laſt old money ſhould come in to be recoined, ſo much of the new might circulate from the mint, as might ſufficiently anſwer the neceſſities of the nation. They reſolved therefore, firſt, "That a day be appointed, after which no clipped crowns "or half-crowns, as alſo no money clipped within the ring, "be allowed in payment, or paſs, except only to the col- "lectors of his majeſty's revenues or taxes, or upon loans or "payments into the exchequer. Secondly, That a day be ap- "pointed, after which no clipped money ſhould paſs in any

"pay-

" payment whatſoever. Thirdly, That a day be appointed for 1695.
" all perſons to bring in their clipped money to be recoined into
" milled money; after which no recompence ſhould be made Dec. 11.
" for the ſame." The next day an addreſs was ordered to be prepared, to deſire his majeſty to regulate the currency of clipped money according to the preceding reſolution; which addreſs being drawn up, and reported by Mr. Montague, and afterwards preſented by him to the king, his majeſty cauſed a proclamation to be iſſued out accordingly. It is to Dec. 19. be remarked, that the lords had already addreſſed the king to the ſame effect.

The days appointed by the king's proclamation for putting a ſtop to the currency of clipped money were ſo ſhort, that an immediate ſtop was thereby put to trade. This was partly occaſioned by the backwardneſs of the people to receive any old money, though allowed at preſent to paſs, upon an apprehenſion that at laſt it would be left upon their hands; partly from the ſlowneſs of recoining in reſpect of the people's wants, though otherwiſe diſpatched with all the expedition imaginable in ſo great an affair; and partly by reaſon of the unequal intrinſic value between the new milled money and thoſe pieces or denominations of the old which were allowed to be current: for while the hammered money and pieces not clipped within the ring, were permitted to paſs for the preſent neceſſity of trade, no body was willing to make payments in new money, which ſo much exceeded the old in its intrinſic worth. And therefore the new ſilver money, as faſt as it iſſued from the mints and exchequer, was in a great meaſure ſtopped in the hands of the firſt receivers; for none were diſpoſed to make payments in the new ſilver coin at the old ſtandard, when they could do it in clipped pieces ſo much below it. And thoſe who had no payments to make, kept their new money as medals and curioſities in their cheſts; and there is reaſon to believe, that, at firſt, a great quantity of new money, by the help of the melting pot, went abroad in ingots to purchaſe gold, which at this juncture was a very profitable commodity in England. Theſe inconveniencies being repreſented to the commons, the houſe in a grand committee conſidered the ſtate of the nation, and how to prevent the interruption of commerce during the recoining of the clipped monies. After ſome debates on ſeveral days, the commons reſolved, " firſt, that the recompence for ſup-
" plying the deficiency of clipped money ſhould extend to
" all clipped money which was ſilver, though of a coarſer
" alloy than the ſtandard. Secondly, that the collectors and

" receivers

1695. "receivers of his majeſty's aids and revenues be enjoined to "receive all ſuch monies. Thirdly, that a reward of five "pounds per cent. be given to all ſuch perſons as ſhould "bring in either milled or broad unclipped money, to be "applied in the exchange of the clipped money throughout "the kingdom. Fourthly, that a reward alſo of three pence "per ounce be given to all perſons who ſhould bring in "wrought plate to the mint to be recoined. Fifthly, that, "for the ſooner bringing in the clipped money to be recoin-"ed, any perſons might pay in their whole next year's tax "of four ſhillings in the pound in clipped money, at one "convenient time appointed for that purpoſe. Laſtly, that "commiſſioners be appointed in every county, to pay or di-"ſtribute the milled and broad unclipped money, and the "new coined money, and to receive the clipped money." Theſe reſolutions were formed into a bill, with a clauſe to prohibit the melting down and exportation of our coin or bullion, and to prohibit the uſe of plate in public houſes; which laſt article proved the beſt expedient to ſupply the mints with bullion, there being at this time ſcarce any public houſe in England that had not ſilver tankards and other utenſils of the ſame metal, which the owners choſe rather to carry to the mint and turn into ready money, than to keep ſo much uſeleſs and dead ſilver at home[s].

The act for the re-coining paſſes. Jan. 21.

The lords having made ſeveral amendments to this bill, moſt of which, after ſome debates and conferences between both houſes, were diſagreed to by the commons, the chancellor of the exchequer, according to order, preſented to the houſe another bill, "for remedying the ill ſtate of the coin "of this kingdom," which paſſed both houſes and received the royal aſſent.

Debates about lowering the guineas.

Upon a petition to the commons by divers merchants and traders, to deſire that the difficulties and loſſes in their trade and payments, occaſioned by the rife of guineas, might be taken into conſideration; the houſe firſt ordered a bill to be brought in, "for taking off the obligation and encourage-"ment of coining guineas for a certain time;" and then proceeded to the lowering their value, wherein they met with ſome oppoſition. The reaſons againſt the ſinking the price of guineas were, that the people were eaſy and pleaſed with it; that abundance of people would be loſers

[s] This was grown to ſuch an in ſilver tankards, to the value extravagance, that one ale houſe, of above five hundred pounds, near the Royal exchange, had,

in

in whoſe hands the guineas ſhould be at laſt found, which would raiſe great diſturbance and clamour in the nation; that therefore it ought to be conſidered, how far it was fit to incenſe the common people in this juncture of affairs, who had already ſuffered ſo much by the war. 1695.

Thoſe who were for reducing the price of guineas, argued that there was as great reaſon to bring down guineas, as there was to recoin the ſilver money at the old ſtandard. And here they reckoned up the miſchiefs mentioned before on that head. That however the parliament might be obliged to manage by the neceſſity of affairs and to ſuffer for a time the guineas to paſs at that exceſſive rate, that in ſome meaſure there might be a currency of money while the mints were employed in new coining the ſilver; yet now they were obliged to ſink the price nearer the old ſtandard, that the ſilver money might not be ſtopped and hoarded up as faſt as iſſued out from the mints. And that whatever loſſes and inconveniencies the people might ſuffer by reducing of guineas, yet the miſchiefs that aroſe and would daily increaſe from not doing it, infinitely overbalanced thoſe on the other ſide. Upon this the commons reſolved to lower the price of guineas; and, that they might do it with leſs grievance and diſquiet to the people, they at firſt reduced them from thirty to eight-and-twenty ſhillings; afterwards to twenty-ſix, till at laſt a clauſe was inſerted in the bill "for encouraging the bringing plate to "the mint," whereby they were ſettled at two-and-twenty ſhillings, from which they naturally ſunk to their former price of one-and-twenty ſhillings and ſix pence. However, it is to be obſerved, that though the parliament lowered the value of the guineas, hoping by that means to bring out the new money into circulation; yet by the artifice and management of ſome men the people were made to believe that the price of gold would be raiſed at the next ſeſſion; upon which many perſons, who had great ſums of guineas, kept them cloſe in their cheſts. By this means, though the circulation of the new money was a little promoted, yet that of guineas, by which the nation chiefly ſubſiſted, was conſiderably obſtructed; the new ſilver money too, which the people were likewiſe induſtriouſly perſuaded to believe would be advanced in value when the parliament ſhould come next together, was for that reaſon in a great meaſure hoarded up, to the great damage of commerce. Another evil aroſe during the recoining of the money; a general loſs of credit, which indeed ſhook the ſtate; but this was cured by a reaſonable and wiſe remedy, which the parliament applied the next ſeſſion; and

Feb. 11. Mar. 28.

on

1695. on the other hand ſuch diligence was uſed, not only in the mint of the Tower, but likewiſe in thoſe which the king cauſed to be ſet up in York, Briſtol, Exeter, and Cheſter, that at laſt this great undertaking of the higheſt difficulty, yet of abſolute neceſſity, was happily accompliſhed, to the immortal honour of the parliament in general, and in particular of Mr. Charles Montague, who had the chief management of this weighty and arduous affair, which was executed with an order and juſtice, and quiet and exactneſs, beyond all men's expectations; ſo that the nation was freed from a great and threatening miſchief, without any of thoſe effects, which were generally apprehended from it, and, in leſs than a year's time, England, that had for ſo many years the worſt money of any nation in Europe, had then the beſt, to the great diſappointment of the Jacobites, who had conceived great hopes of throwing the nation into confuſion.

The proceedings in parliament upon another affair gave the king no ſmall uneaſineſs. The 14th of December, the lords, in a conference, communicated to the commons an addreſs to his majeſty, in relation to an act of parliament made in Scotland for erecting a company trading to Africa and the Eaſt-Indies; to which addreſs the commons gave their concurrence; and a committee was appointed to examine, What methods were taken for obtaining that act? Who were the ſubſcribers to that company? And who were the promoters and adviſers of it? Both houſes attended the king with their addreſs, wherein they repreſented to him, "That, having "taken into their conſideration the ſtate of the trade of this "kingdom, they found that, beſides many other diſadvan"tages and difficulties it now lay under, an act of parlia"ment, which had lately received his majeſty's royal aſſent "in his kingdom of Scotland, for erecting a company trading "to Africa and the Indies, was like to bring many great "prejudices and miſchiefs to all his majeſty's ſubjects, who "were concerned in the wealth or trade of this nation. That "the ſaid act did provide, That all ſhips, merchandize, and "other effects whatſoever, belonging to that company "ſhould be free from all manner of reſtraints or prohibitions, "and of all cuſtoms, taxes, ceſſes, ſupplies, or other duties "impoſed, or to be impoſed by act of parliament, or other"wiſe, for the ſpace of twenty-one years. And farther, that "the ſaid company, whoſe members, officers, ſervants, or "others belonging thereto, ſhould be free, both in their per"ſons, eſtates, and goods employed in the ſaid ſtock and "trade, from all manner of taxes, ceſſes, ſupplies, exciſes,

quartering

" quartering of ſoldiers tranſient or local, or levying of ſol- 1695-6.
" diers, or other impoſitions whatſoever, during the ſpace of
" twenty-one years. That, by reaſon of the great advan-
" tages granted to the Scots Eaſt-India company, and the
" duties and difficulties, that lay upon that trade in England,
" a great part of the ſtock and ſhipping of this nation would
" be carried thither; and by this means Scotland might be
" made a free port for all Eaſt-India commodities; and con-
" ſequently thoſe ſeveral places in Europe, which were ſup-
" plied from England, would be furniſhed from Scotland
" much cheaper than could be done by the Engliſh; and
" therefore this nation would loſe the benefit of ſupplying
" foreign parts with thoſe commodities, which had always
" been a great article in the balance of their foreign trade.
" Moreover, that the ſaid commodities would unavoidably
" be brought by the Scots into England by ſtealth, both by
" ſea and land, to the great prejudice of the Engliſh trade
" and navigation, and to the great detriment of his majeſty in
" his cuſtoms. And that, when that nation ſhould have ſet-
" tled themſelves in plantations in America, the Engliſh
" commerce in tobacco, ſugar, cotton, wool, ſkins, maſts,
" &c. would be utterly loſt, becauſe the privileges of that
" nation, granted to them by this act, were ſuch, that that
" kingdom muſt be the magazine for all commodities, and
" the Engliſh plantations, and the traffic there, loſt to this
" nation, and the exportation of their own manufactures
" yearly decreaſed. That beſides theſe, and many other ob-
" ſtructions, that the act would unavoidably bring to the ge-
" neral trade of this nation, another clauſe in the ſaid act,
" whereby his majeſty promiſed to interpoſe his authority to
" have reſtitution, reparation, and ſatisfaction made for any
" damage, that might be done to any one of the ſhips, goods,
" merchandize, perſons, or other effects whatſoever belong-
" ing to the ſaid company, and that upon the publick charge;
" did ſeem to engage his majeſty to employ the ſhipping and
" ſtrength at ſea of this nation, to ſupport this new com-
" pany, to the great detriment even of this kingdom." To
this addreſs the king made anſwer, "That he had been ill
" ſerved in Scotland, but he hoped ſome remedies might be
" found to prevent the inconveniencies, which might ariſe
" from this act."

Soon after this, the king turned out both the ſecretaries of ſtate in Scotland, and the marquis of Tweedale: and great changes were made in the whole miniſtry of that kingdom, hate

1695-6. both high and low; particularly the lord Murray, ſon of the marquis of Athol, was made ſecretary of ſtate.

However, this buſineſs did not ſtop here; for the committee appointed by the commons to examine by what methods this act was obtained, having made their report, and delivered a copy of an oath de fideli, taken by the directors of the Scots Eaſt-India company, and of the journal of the proceedings of the directors; and the report, oath, and journal being examined; as alſo the petition preſented to the houſe by the Engliſh Eaſt India company, it was reſolved,

Jan. 26 That the directors of the company of Scotland trading to Africa and the Indies, adminiſtering and taking here in this kingdom an oath de fideli, and under colour of a Scots act of parliament, ſtiling themſelves a company, were guilty of a high crime and miſdemeanor; and that the lord Bellhaven, William Paterſon, David Nairne, James Smith, James Cheiſly, William Shepherd, Robert Blackwood, James Balfour, James Fowlis, Thomas Coutts, Abraham Wilmer, Daniel Van Mildert, Robert Williamſon, Anthony Merry, Paul Docminique, Robert Douglas, Thomas Skinner, Hugh Frazer, James Bateman, Walter Stewart, and Joſeph Cohen d'Azevedo be impeached of the ſame. While the impeachments were drawing up, Roderick Mackenzie endeavoured to ſuppreſs the evidence, which he had given againſt theſe perſons, for which he was ordered into cuſtody, but he made his eſcape; nor could he be apprehended, though the king,

Feb. 13. at the requeſt of the commons, iſſued out a proclamation for that purpoſe.

Scotland much ſet on ſupporting the act. When it was underſtood in Scotland, that the King had diſowned the act for the Eaſt-India company, from which it was expected that great riches ſhould flow into that kingdom, it is not eaſy to conceive how great, and how general an indignation was ſpread over the whole kingdom; the jacobites ſaw what a game it was like to prove in their hands; they played it with great ſkill, and to the advantage of their cauſe, in a courſe of many years; and continue to manage it to this day: there was a great deal of noiſe made of the Scotch act in both houſes of parliament in England by ſome, who ſeemed to have no other deſign in that, but to heighten our diſtractions, by the apprehenſions that they expreſſed. The Scotch nation fancied nothing but mountains of gold; and the credit of the deſign roſe ſo high, that ſubſcriptions were made, and advances of money were offered, beyond what any believed the wealth of that kingdom could have furniſhed. Paterſon came to have ſuch credit among them, that the deſign

ſign of the Eaſt-India trade, how promiſing ſoever, was wholly laid aſide; and they reſolved to employ all their wealth, in the ſettling a colony, with a port and fortifications in Darien, which was long kept a ſecret, and was only truſted to a ſelect number, empowered by this new company, who aſſumed to themſelves the name of the African company, though they never meddled with any concern in that part of the world: the unhappy progreſs of this affair will appear in its proper time. 1695-6.

The loſſes of the merchants gave great advantages to thoſe, who complained of the adminiſtration; their conduct, with relation to our trade, was repreſented as at beſt a neglect of the nation, and of it's proſperity: ſome, with a more ſpiteful malice, ſaid, it was deſigned, that we ſhould ſuffer in our trade, that the Dutch might carry it from us: and, how extravagant ſoever this might ſeem, it was often repeated by ſome men of virulent tempers. And in the end, when all the errors, with relation to the protection of our trade, were ſet out, and much aggravated, the commons proceeded to conſider the ſtate of the nation in relation to trade, and reſolved, "Firſt, That a council of trade be eſtabliſhed by act "of parliament, with powers for the more effectual preſer- "vation of the trade of this kingdom. Secondly, That the "commiſſioners conſtituting the council be nominated by "parliament. Thirdly, That the commiſſioners ſhould take "an oath, acknowledging, that king William was rightful "and lawful king of this realm; and that the late king "James had no right or title thereunto; and that no other "perſon had any right or title to the crown, otherwiſe than "according to the act of ſettlement made in the firſt year of his "majeſty's reign, &c." Of theſe and ten more reſolutions, the firſt and ſecond, with ſome others, were indeed approved; but ſeveral, and eſpecially the fourth, whereby king William was to be acknowledged rightful and lawful king, and which occaſioned a warm debate, were rejected by the houſe. And a bill was ordered to be brought in, upon the reſolutions agreed to; though it was oppoſed by thoſe, who looked on the eſtabliſhment of a council of trade by an act of parliament, as a change of our conſtitution in a very eſſential point. They urged, that the executive part of the government was in the king; ſo that the appointing any council by act of parliament began a precedent of their breaking in upon the execution of the law, in which it could not be eaſy to ſee how far they might be carried. It was indeed offered, that this council ſhould be much limited as to its powers; yet many apprehended, that, if the parliament named the perſons, Council of trade voted.

1695-6. perſons, how low ſoever their powers might be at firſt, they would be enlarged every ſeſſions; and, from being a council to look into matters of trade, they would be next impowered to appoint convoys and cruizers. This, in time, might draw in the whole admiralty, and that part of the revenue or ſupply, which was appropriated to the navy; ſo that a king would ſoon grow to be a duke of Venice. And indeed thoſe, who ſet this on moſt zealouſly, did not deny, that they deſigned to ingraft many things upon it.

The king was ſo ſenſible of the ill effects which this would have, that he ordered his miniſters to oppoſe it, as much as poſſibly they could. The earl of Sunderland, to the ſurprize of many, declared for it, as all that depended on him promoted it. He was afraid of the violence of the republican party, and would not venture upon provoking them. The miniſters were much offended with him for taking this method to recommend himſelf at their coſt. The king himſelf took it ill, and declared to biſhop Burnet, that, if the earl went on, driving it as he did, he muſt break with him; and imputed it to his fear. For the unhappy ſteps, which he had made in king James's time, gave his enemies ſo many pretences for attacking him, that he would venture on nothing, that might provoke them. Here was a debate plainly in a point of prerogative, how far the government ſhould continue on its antient bottom of monarchy, as to the executive part; or how far it ſhould turn to a commonwealth; and yet, by an odd reverſe, the whigs, who were now moſt employed, argued for the prerogative, while the tories ſeemed zealous for public liberty; ſo powerfully does intereſt biaſs men of all forms.

A grant to the earl of Portland oppoſed. Pr. H. C. III. 9.

Another affair was, about this time, brought before the houſe of commons, which touched the king in a very ſenſible part. The earl of Portland had begged of the king the lordſhips of Denbigh, Bromfield, and Yale in the county of Denbigh; which, before he went laſt to Holland, he readily granted, not only to him, but to his heirs for ever. The warrant coming to the lords of the treaſury, who were the lord Godolphin, ſir Stephen Fox, ſir William Trumball, and Mr. John Smith, the gentlemen of the county, upon one or two days notice, were heard before their lordſhips. Sir William Williams alledged, "That theſe lordſhips were the antient "demeſnes of the prince of Wales: that the Welſh were "never ſubject to any but to God and the king; and that "none ſhewed their allegiance more than the Welſh. That "on the ſtatute for granting of fee-farm rents, there was a par-

" a particular exception of the Welſh rents, which im- 1695-6.
" ported, that the parliament took the Welſh revenues not to
" be alienable; yet, upon creation of a prince of Wales,
" there were Miſes of 800 l. payable out of thoſe lordſhips
" to the prince of Wales [a], and, though there were none now,
" yet he hoped and doubted not but to ſee one of the preſent
" king's own body." Sir Roger Puleſton alledged, " That
" the revenues of theſe lordſhips did ſupport the government
" of Wales, by paying the judges and others their ſalaries;
" and, if given away, there would be a failure of juſtice."
And Mr. Price, afterwards baron of the exchequer, urged,
" That the grant was of a large extent, being five parts in
" ſix of one county, which was too great a power for any
" foreign ſubject to have, and the people of the country too
" great to be ſubject to any foreigner [b]." Let it be conſider-
ed

[a] Miſes were certain tollages or tributes, paid at the creation of a prince of Wales. Thus, in the county palatine of Cheſter, it was a certain tribute, paid by the inhabitants of that county, on the change of every owner of that earldom, for the enjoyment of their liberties. And they have there a Miſe-book, in which every town and village is rated ſo much towards the Miſe.

[b] The other arguments he made uſe of againſt the grant, were as follow: " That there
" were fifty mean lordſhips held
" under thoſe manors, above
" fifteen-hundred freeholders;
" waſtes and commons of many
" thouſand acres; mines of lead
" and copper of great value,
" and that the preſent rents a-
" mounted to 1500 l. per ann.
" beſides other great advanta-
" ges, which a mighty favourite
" and a great courtier might
" make out of this country.
" That courts were kept in all
" thoſe lordſhips in the king's
" name. That all or moſt of
" the gentlemen of that coun-
" try were tenants to the king,
" and ſuitors to this court, and
" thereby obliged to the king
" by a double allegiance, that
" is, as ſubjects and tenants;
" and, if the king gave away
" one, it was to be feared, it
" would leſſen the bounds of
" the other, ſince it is obſerva-
" ble, that intereſt and property
" have an aſcendant over duty.
" That theſe manors were for-
" merly lordſhips marches; that
" when William the Conqueror
" had brought England under
" ſubjection, but could not ſub-
" due the Welſh country, he
" gave to the Norman lords
" ſome neighbouring lands in
" Wales, and furniſhed them
" with men and arms; and
" what ground they could get
" from the Welſh by inſurrec-
" tion, or conqueſt, theſe Nor-
" man lords were to hold as
" lordſhips-marches, which were
" made boroughs or palatinates;
" and what they got or uſurped
" by their power, they maintain-
" ed by ſeverity or oppreſſion.
" That

1695-6. ed (added he) "Can it be for his majeſty's honour or intereſt
" (when the people hear this and underſtand it) that he daily
" gives away the revenues, and more, the perpetuity of his
" crown

" That under theſe vaſſalages
" the Britons continued until
" the 27th of Henry VIII's
" reign, when the ſtatute of Ti-
" mon was made, and they eſ-
" teemed it their happineſs to
" be under the Engliſh laws and
" government, none having
" more eminently ſignalized
" their conſtant loyalty to their
" rightful king, than themſelves.
" But, if his majeſty ſhould think
" fit to diſunite them by this
" grant, and put them under a
" foreign ſubject, it was putting
" them in a worſe poſture than
" their former eſtate, when un-
" der William the Conqueror
" and his Norman lords. That
" the Britons were always men
" of courage and ſincerity, and
" yet of reſentment. That
" though Henry IV. and Henry
" V. were martial princes, and
" had an hatred againſt the Bri-
" tons, becauſe they perſevered
" in their duty to Edward II,
" who was their rightful though
" unfortunate king, and made
" moſt reproachful laws againſt
" them; yet it was worth re-
" mark, that thoſe kings had
" never peaceable or happy
" days, till they had reconciled
" themſelves to thoſe great peo-
" ple. That this is a reve-
" nue, that belongs to the prince
" of Wales; and, in caſe of
" want of ſuch, it veſts in the
" crown rather a uſufructure
" than a property, till a prince
" be created, to whoſe creation
" the revenue is annexed by
" theſe, though unuſual words
" in the law, to him and his
" heirs, who ſhall be kings of
" England, by the ſtatute of the
" 21 Jacob. chap. 29. That in
" the preamble of that ſtatute
" it was doubted, whether
" Charles prince of Wales and
" duke of Cornwall could
" grant leaſes of the duchy lands
" for three lives, or any longer
" than his own life; though the
" ſtatute adds, he had the inhe-
" ritance in a ſpecial form of
" limitation, differing from the
" ordinary rule of inheritance
" of the common law; and
" therefore it was neceſſary to
" have confirmed in parliament,
" the uſe that was made of that
" ſtatute in this caſe. That, if
" the prince of Wales and duke
" of Cornwall, who had an in-
" heritance in their revenues,
" could not grant eſtates with-
" out parliament, for any longer
" time than their own lives;
" how then could his preſent
" majeſty, who was our king by
" modern contract, and had
" but an eſtate for life in poſ-
" ſeſſion in the crown by the
" act of ſettlement, grant away
" the inheritance and abſolute
" fee of the principality of
" Wales? That, if the aid of
" parliament was neceſſary to
" help in one caſe, it was more
" neceſſary in the other. That
" it was well known in former
" reigns there had been fre-
" quent acts of reſumption,
" which always paſſed, when
" the people groaned under the
" weight of heavy taxes, and the
" nation

" crown revenues to his foreign ſubjects? Good kings, after 1695-6.
" a long and chargeable war, were accuſtomed to tell
" their people, that they ſorrowed for the hardſhips the nation
" underwent by a long war and heavy taxes; and that now
" they would live on their own. But it is to be feared, if
" grants are made ſo large and ſo frequent, there will be no-
" thing for the king or his ſucceſſors to call his own to live
" upon." The lord Godolphin having aſked by way of ob-
jection, " Whether the earl of Leiceſter had not thoſe lord-
" ſhips in grant to him in queen Elizabeth's time?" ſir Ro-
bert Cotton anſwered, " he believed he could give the beſt
" account in that caſe. That the earl of Leiceſter had but
" one of thoſe lordſhips, and that was Denbigh. That he
" was ſo oppreſſive to the gentry of the country, that he
" occaſioned them to take up arms, and to oppoſe him; for
" which three or four of his (ſir Robert Cotton's) relations
" were hanged; but that it ended not there, for the quarrel
" was kept ſtill on foot, and the earl glad to be in peace,
" and to grant it back to the queen; ſince which time it had
" ever been in the crown." Then the lord Godolphin ſaid,
" they had offered many weighty reaſons, which ſhould be
" repreſented to his majeſty." From the treaſury the gen-
tlemen of Wales attended the grant to the privy-ſeal, where
their reaſons and complaints againſt it were heard and received
with great candour. Yet, notwithſtanding all this, the grant
being only ſuperſeded, but not recalled, ſir Thomas Groſve-
nor, ſir Richard Middleton, ſir John Conway, ſir Robert
Cotton, ſir William Williams, ſir Roger Puleſton, Edward
Vaughan, Edward Brereton, and Mr. Robert Price, addreſſed
themſelves by petition to the houſe of commons. Upon this
occaſion Mr. Price, a member of that houſe, made a remark-
able ſpeech, wherein beſides enlarging on the arguments he
had before uſed, againſt the grant, (which doubtleſs was un-
adviſedly made, and the oppoſition to it very juſt in thoſe,
that had nothing in view but to ſave thoſe lands from aliena-
tion) he took occaſion not only to inveigh againſt the Dutch
in general, but to reflect even on the king's perſon, title,
and government.

The reſult of this affair was, that the commons unani- Adreſs to the king about the grant. Jan. 22.
mouſly preſented the following addreſs to the king.

" nation in war. That, if that
" was a reaſon for the legiſla-
" tive power to paſs a bill of
" reſumption, it was ſtill as
" good reaſon for his majeſty
" not to grant, ſince the nation
" was both in a war, and under
" the heavieſt preſſure of taxes,
" hiſtory bears teſtimony of."

1695-6. "WE your majeſty's moſt dutiful and loyal ſubjects, the "knights, citizens, and burgeſſes in parliament aſſem-"bled, humbly lay before your majeſty, that whereas there "is a grant paſſing to William earl of Portland and his heirs "of the manors of Denbigh, Bromfield, and Yale, and di-"vers other lands in the principality of Wales, together "with ſeveral eſtates of inheritance enjoyed by many of "your majeſty's ſubjects, by virtue of antient grants from "the crown.

"That the ſaid manors, with the large and extenſive re-"galities, powers, and juriſdictions to the ſame belonging, "are of great concern to your majeſty and the crown of this "realm; and that the ſame have been uſually annexed to "the principality of Wales, and ſettled on the prince of "Wales for their ſupport: and that a great number of your "majeſty's ſubjects in thoſe parts hold their eſtates by royal "tenure under great and valuable compoſitions, rents, royal "payments, and ſervices to the crown and princes of Wales, "and have by ſuch tenure great dependence on your majeſty "and the crown of England, and have enjoyed great privi-"leges and advantages with their eſtates under ſuch tenure. "We therefore moſt humbly beſeech your majeſty to put a "ſtop to the paſſing this grant to the earl of Portland of the "ſaid manors and lands; and that the ſame may not be diſ-"poſed from the crown but by conſent of parliament; for "that ſuch grant is in diminution of the honour and intereſt "of the crown, by placing in a ſubject ſuch large and exten-"ſive royalties, powers, and juriſdictions, which ought only "to be in the crown, and will ſever the dependence, which "ſo great a number of your majeſty's ſubjects in thoſe parts "have on your majeſty and the crown, by reaſon of their "tenure, and may be to their great oppreſſion in thoſe "rights, which they have purchaſed and hitherto enjoyed "with their eſtates; and alſo an occaſion of great vexation "to many of your majeſty's ſubjects, who have long had "the abſolute inheritance of ſeveral lands (comprehended in "the ſaid grant to the earl of Portland) by antient grants "from the crown."

The king, in anſwer to this addreſs, expreſſed himſelf thus:

Gentlemen,

"I have a kindneſs for my lord Portland, which he has "deſerved of me by long and faithful ſervices; but I ſhould

"not

" not have given him theſe lands, if I had imagined the 1695-6.
" houſe of commons could have been concerned. I will
" therefore recal the grant, and find ſome other way of ſhew-
" ing my favour to him."

The debates about creating a council of trade by act of parliament were going on, and it probably would have paſt both houſes, when the diſcovery of a conſpiracy turned mens thoughts another way: ſo that all angry motions were let fall, and the ſeſſion ended with greater advantages to the king, than could otherwiſe be expected.

On the death of the queen, the jacobites began to think that the government had loſt the half of its ſtrength, and that things could not be quiet at home, when the king ſhould be beyond ſea. Some pretended, they were for putting the princeſs of Denmark in her ſiſter's place; but this was only a pretence, to which ſhe gave no ſort of encouragement: king James lay at the bottom. And therefore, ſhortly after the queen's deceaſe, they entered upon ſchemes to remove the king likewiſe. The ſame week wherein he had given them the fulleſt and moſt extenſive pardon, that ever was known, they were contriving to ſeize his perſon. For about this time ſeveral meetings and conſultations were held by Mr. Charnock, captain Porter, captain Waugh, major Matthews, Mr. Donelagh, Mr. Goodman, and ſir William Perkins, to ſettle the method of executing this deſign; and the places, where theſe conſpirators, or the greateſt part of them, met, were Mr. Goodman's houſe in Brownlow-ſtreet, the chocolate-houſe in St. James's-ſtreet, and the Fountain tavern by the Temple-gate. And that they might quiet their minds, which it ſeems were not perfectly delivered from all ſenſe of guilt and horror at ſuch a barbarous enterprize, they ſent over to ſollicit the late king James to grant them a commiſſion, which they flattered themſelves would be ſufficient to authorize their attempt, and make it look more like a military action, than a foul murder. But, it ſeems, it was not thought fit to grant any ſuch commiſſions at that juncture, in which things did not perhaps appear ripe enough for their purpoſe; at leaſt, it was ſo delayed, that the conſpirators ſeemed uneaſy to be held ſo long in ſuſpenſe, and therefore reſolved immediately to execute their deſigns, notwithſtanding their expectations of a commiſſion from St. Germain's were diſappointed. And now, however weak and impracticable it might ſeem, they projected a deſign to attack the guards, ſeize the king, and forthwith hurry him to Deal, where a

The aſſaſſination plot and French invaſion. Blackmore. Burnet.

1695-6. coach was to be provided to receive, and thence carry him into France; and, in caſe of reſiſtance, they propoſed to deſtroy him, and then pretend it was done by a random ſhot. In order to this, they proceeded ſo far as to view the ground about Turnham-Green, and to fix on a place proper for their deſign; but they had not time enough to compleat this affair before the king embarked for Flanders, and thereby obliged them to defer their intended villainy, till his return in the winter.

But the conſpirators could by no means ſit down ſatisfied with being idle in the mean time, and therefore many meetings and conſultations were held in various places, where it was conſidered and debated, what were the moſt proper and expeditious means of reſtoring James. And it was agreed on at a meeting at the old King's-head in Leadenhall-ſtreet, where were then preſent the earl of Ayleſbury, the lord Montgomery, ſon of the marquis of Powis, ſir John Fenwick, ſir John Friend, Mr. Goodman, captain Charnock, and captain Porter, that a truſty meſſenger ſhould be ſent to St. Germain's, who ſhould perſuade king James to procure eight thouſand foot, a thouſand horſe, and a thouſand dragoons, in order to make a deſcent upon England; with which auxiliary forces the conſpirators, who were then ready to riſe in arms and join them, undertook to ſet the crown again upon king James's head. The perſon choſen for this errand to St. Germain's was captain Charnock, who expreſſed his willingneſs to undertake the affair, provided they would let him know what aſſurances he might give that king of their readineſs to ſerve him, in caſe he came with ſuch a power as they demanded. The conſpirators unanimouſly aſſured him, that, if the late king landed, they would ſerve him with two thouſand horſe. Charnock replied, that he would be the meſſenger, but deſired they would give him another meeting, that he might be ſatisfied this was their ſettled reſolution, and ſuch as the late king might depend upon. This was granted, and a ſecond meeting appointed a few days after at Mrs. Mountjoy's houſe in St. James's-Street, where the conſpirators renewed their aſſurances, that they were ready to aſſiſt and join king James with the abovementioned body of horſe, in caſe of an invaſion. Charnock, ſhortly after went over to France, and communicated to king James their requeſt. But whether his friends were diffident of the intereſt and ſtrength of the conſpirators, or whether they were willing to ſee the iſſue of another campaign, ſuppoſing, if it proved ſucceſsful, it would greatly facilitate their invaſion

ſion of England; it is certain, the conſpirators were told by king James, that he was ſenſible of their fidelity and ſteadfaſtneſs in his intereſt, for which he thanked them; but as to the aſſiſtance, which they deſired him to procure, his anſwer was, that the French king could not, at that time, ſpare ſo great a number of his troops as they demanded. This anſwer not being ſatisfactory, it was thought neceſſary to ſend over a man of quality, who ſhould preſs the matter with more authority: So the earl of Ayleſbury was prevailed on to go. He was admitted to a ſecret converſation with the French king: and this gave riſe to the invaſion, which, though deferred for this time, was very near being executed the next winter, as will preſently appear [a]. 1695-6.

In the mean time the treaſonable commerce went on with St. Germain's; for which purpoſe they maintained boats of their own on the coaſts of Kent; all care was taken to ſupport the ſpirits of the party, and all artifices and methods of application were uſed to ſpread a malignant ferment among the people, which might make them uneaſy under the government, and diſpoſe them to a change.

The ſucceſs of king William's arms, at the ſiege of Namur, was ſo far from diſcouraging them from carrying on

[a] If ſir John Fenwick did not ſlander king James, they at this time propoſed a ſhorter and more infallible way, by aſſaſſinating the king; for he ſaid, that ſome came over from France about this time, who aſſured their party, and himſelf in particular, that a commiſſion was coming over, ſigned by king James, which they affirmed, they had ſeen, warranting them to attack the king's perſon. This, it is true, was not yet arrived; but ſome affirmed, they had ſeen it, and that it was truſted to one, who was on his way hither; therefore, ſince the king was ſo near going over to Holland, that he would probably be gone before the commiſſion could be in England; it was debated among the jacobites, whether they ought not to take the firſt opportunity to execute this commiſſion, even though they had it not in their hands: it was reſolved to do it, and a day was ſet for it; but, as Fenwick ſaid, he broke the deſign; and ſent them word, that he would diſcover it, if they would not promiſe to give over the thoughts of it: and upon this reaſon, he believed, he was not let into the ſecret of the following winter. This his lady told biſhop Burnet from him, as an article of merit to obtain his pardon. But he had truſted to their word very eaſily, it ſeems, ſince he gave the king no warning to be on his guard; and the two witneſſes, he ſaid he could produce to vouch this, were then under proſecution, and outlawed: ſo that the proof was not at hand, and the warning had not been given as it ought to have been. Burnet, Vol. II. 148.

1695-6. their conſpiracy, that it ſeemed rather to puſh them on to accompliſh it with greater expedition. For being jealous, that the next campaign might ſtill increaſe the reputation of his majeſty's arms, and diminiſh that of his enemies, they reſolved to haſten the execution of their deſigns; ſo that the fears, which they entertained of the king's ſtill getting greater advantages in the field, ſeemed to have given birth to the intended invaſion and aſſaſſination. In order to accompliſh their ends, great ſtores of arms were bought up and concealed in convenient places; great numbers of horſes were provided to mount their troops, which they had liſted. Officers were appointed, and commiſſions received from king James, by which pretended authority they were to act.

In ſuch a poſture were their affairs at home. In the mean time the negotiation was maintained between the conſpirators and king James. And at this time the French court ſeemed inclined to comply with their deſires, by lending that king a good body of their troops. Meſſengers went to and fro with pacquets of letters to concert affairs, and to give intelligence of the forwardneſs of the invaſion on one ſide, and the inſurrection on the other. The time fixed upon to put the deſign in execution was very favourable and encouraging; for now there were few regular troops in England or Scotland, his majeſty's forces being almoſt all employed in carrying on the war againſt the French king in Flanders. And, as for the militia of the country, the conſpirators had thoſe undiſciplined troops in contempt, not imagining, that they could make the leaſt ſtand againſt a veteran army. They believed therefore they could make a deſcent on a weak and almoſt defenceleſs country; neither did they apprehend any oppoſition, that could be made at ſea to prevent their invaſion; for they knew, that a ſtrong convoy was ready in England, and had received ſailing orders to make the beſt of their way to reinforce admiral Rooke at Cadiz, whoſe ſquadron was looked upon as inferior in ſtrength to that of the French then putting to ſea from Toulon.

Affairs at ſea at the time of the plot.

The French fleet, which had been ſo long ſhut up within Toulon, was now fitting out and ordered round to Breſt. Our fleet, that lay at Cadiz, was only a ſquadron left there by Ruſſel (who was come home with many of the great ſhips) and therefore, not ſtrong enough to fight the French, when they ſhould paſs the Streights. But a large fleet was ordered thither, and would have ſailed in December, had it not been kept in our ports, by contrary winds, till February. This was then thought a great unhappineſs, but it appeared after-

afterwards, that our preſervation was chiefly owing to it. 1695-6.
However, we were all this while in great pain for Rooke, who commanded the ſquadron at Cadiz, and was like to ſuffer for want of proviſion and ſtores, which this fleet was to carry him; beſides the addition of ſtrength this would bring him, in caſe the Toulon ſquadron ſhould come about. We were only apprehenſive of danger from that ſquadron, little imagining we could be in any at home, till that fleet was brought about. It is true, the jacobites talked and writ now with more than ordinary aſſurance; and advertiſements came from many places, that ſome very important thing was ready to break out. But the king had been ſo accuſtomed to alarms and reports of this kind, that he had now ſo little regard to them, as ſcarce to be willing to hearken to thoſe, who brought him ſuch advertiſements. He was ſo much ſet on preparing for the next campaign, that all other things were little conſidered by him. But to return to the plot.

It muſt be obſerved, that two ſorts of men, the papiſts, and that kind of proteſtants, who are neareſt to them in principles and affection, were enemies to the king and his government. Now thoſe proteſtants were ſubdivided into two parties, one of which had the lord Melfort for their head, the other the earl of Middleton. The firſt was the hot and violent ſort, who had the papiſts generally on their ſide. Theſe men earneſtly deſired and laboured to bring back king James as an abſolute conqueror, without any capitulation or agreement. The other party, though diſaffected to the government, and very deſirous of that king's return, yet were not tranſported to that extravagant degree of deluſion, as to be willing to ſacrifice their religion, rights and liberties, to the will of an unlimited maſter; and therefore, in their conferences with the others about the means of reſtoring king James, they always offered ſuch methods and ſchemes, as had a ſhew at leaſt of ſecuring their religion and liberty, in caſe he prevailed; and thoſe, who thus contended for his reſtoration on terms and compoſition, were fiercely oppoſed by the other faction, who ſtill rejected their overtures, and declaimed loudly againſt all limitations propoſed to hinder deſpotic power in their prince. Great heats and animoſities roſe between theſe two parties. The firſt was moſt acceptable to king James and his court; but the laſt were moſt conſiderable for their number and intereſt. To humour therefore the laſt, the earl of Middleton, who was ſent over to St. Germain's to manage their affairs, was made ſecretary of ſtate; and the lord Melfort, as if under ſome diſgrace, was ordered

Compounders and non-compounders.

1695-6. ordered to withdraw from court, that the other party might believe, that they had the aſcendency, and that their way and method of reſtoring king James was beſt accepted and chiefly inſiſted on; though there is ground to conclude, that all this was nothing but artifice and colluſion, the lord Melfort being ſtill in the ſecret of king James, and ſtill correſponded underhand with him. And now by this concerted invaſion and inſurrection it plainly appears, that the violent and biggoted party of the lord Melfort were in the greateſt eſteem; that their ſcheme of bringing back the king without terms was moſt approved; while the others were impoſed on by ſpecious aſſurances, that the terms and limitations, which they offered, were very agreeable, while there was no manner of care taken, after the intended deſcent ſhould be made, and the kingdom over-run by a foreign army, to ſecure either their religion or their liberties.

The former intended invaſions (as hath been related) were always preceded by declarations from king James, promiſing to maintain the conſtitution in church and ſtate, and protect the rights and liberties of the ſubject, and offering pardon for paſt offences, provided he was not oppoſed after his landing. But now the ſcene is changed; no obliging declaration is ſet forth, nor any promiſe of pardon is publiſhed. He no longer pretended to return upon a proteſtant intereſt, but by the power of a foreign army, wholly compoſed of old and experienced troops; no Engliſh nor Iriſh, of whom there were then conſiderable numbers in France, being allowed to ſhare in this enterprize, as being looked upon not ſo proper to be employed in ſubduing their own country; and therefore, whatever that deluded party might imagine, it is evident, that nothing leſs was deſigned, than an entire reduction of theſe kingdoms by a foreign power, the conſequences of which muſt unavoidably have been the utter extirpation of the proteſtant religion, and the irrecoverable ſubverſion of our laws and liberties.

About the beginning of February 1695-6, the duke of Berwick, who was natural ſon to king James, was diſpatched into England to concert affairs with the conſpirators here, and to give them aſſurance that king James was ready to make a deſcent upon England, at the head of an army; and having diſcharged his commiſſion, and laid the matter ſo well, that he thought it could not miſcarry, he went back to France, and met king James at St. Dennis, who was come ſo far on his way from Paris. He ſtopped there, and, after a long con-

conference with the duke of Berwick, he ſent him firſt to his queen at St. Germain's, and then to the king of France, and he himſelf called for a notary, and paſſed ſome act; but it was not known to what effect. When that was done, he purſued his journey, and came poſt to Calais to ſet himſelf at the head of an army of about twenty-thouſand men, that were drawn out of the garriſons which lay near that frontier. At Calais he was met by the marſhal de Boufflers, who came from Flanders to conſer with him on this important occaſion, and to give ſuch orders and advice, as he judged neceſſary to render the expedition ſucceſsful. 1695-6.

There came, every winter, a coaſting-fleet from all the ſea-ports of France to Dunkirk, with all the proviſions for a campaign; and it was given out, that the French intended a very early one this year. So that this coaſting fleet was ordered to be there by the end of January. Thus tranſport-ſhips, as well as an army, were brought together in a very ſilent manner; and monſieur Gaberet was come up as high as Calais with a ſquadron of men of war, which, when reinforced by the conjunction of Du Bart's fleet from Dunkirk, was looked upon as a ſufficient convoy.

This was the poſture of affairs on the other ſide of the water. In the mean time the jacobites on this ſide were ready to take up arms, to receive and aſſiſt king James. The tranſportation of horſe being a matter of great trouble as well as expence, the conſpirators in England engaged to aſſiſt him at their landing with ſeveral regiments of horſe and dragoons; for which purpoſe commiſſions had been ſent over from king James, and delivered to ſeveral of the conſpirators, to empower them to raiſe men, and, as their officers, to command them. In purſuance of this pretended authority, many troops were liſted, and their under-officers named. Sir John Freind received a commiſſion for a regiment of horſe, which was very near compleated; his lieutenant-colonel, major, and captains being named, and the troops almoſt full. Sir William Perkins had likewiſe a commiſſion for a regiment of horſe, and had engaged a conſiderable number to ſerve him in it. He declared, that his own troop was wholly compoſed of old ſoldiers; and that ſeveral other gentlemen, well experienced in military affairs, had promiſed to follow him as volunteers: colonel Tempeſt, as Charnock told Porter, had a commiſſion for a regiment of dragoons, which was ſaid to be in great forwardneſs; ſir John Fenwick had four troops ready; colonel Parker was to command another regiment, and

1695-6. and Mr. Curwin another. There was one more to be raiſed in and about Suffolk, where the malecontents boaſted they had great intereſt. Many commiſſions were delivered to thoſe, who were named for their under-officers. King James having ſent them word, that he was ready to make a deſcent, the conſpirators were very diligent in preparing to join him. Some of them took journies into ſeveral parts of the kingdom, to acquaint the diſcontented party, that king James was on the point of invading the nation; and therefore incited them to riſe in arms, to give him aſſiſtance, and to engage as many of their friends, as they had intereſt in, to do the ſame. At the ſame time, the conſpirators in London were very active, and determined to puſh on their deſign to execution.

But, notwithſtanding all theſe preparations, and the various circumſtances that ſeemed to favour the intended invaſion, it was reſolved, to put nothing to the hazard, till they had made their ſucceſs ſure, by the murder of the king; as if no hopes were left of ſubduing him any other way. The aſſaſſination therefore of king William was concerted and agreed upon by the Engliſh court at St. Germain's as a thing of abſolute neceſſity to give ſucceſs to the invaſion; and the next point conſidered was a fit perſon to manage an affair of this nature and conſequence. Colonel Parker, a perſon of a diſſolute life, a hot and reſtleſs temper, and diſtinguiſhed from others by his remarkable and uncommon wickedneſs, was, by bloody principles and inveterate hatred to the king and his friends, qualified above all men for this undertaking. He (as hath been ſaid) almoſt ever ſince the king's acceſſion to the throne, had been carrying on ſome deſign againſt his life, was engaged in one in the year 1691, and after, in the ſame year, in another with Grandval and Du Mont, and after that in 1693 with Goodman, Porter, and Charnock. This man, though in great eſteem with the conſpirators, and perfectly qualified for ſuch a work, was not fixed upon for this expedition; for, conſidering how well he was known in England, they might juſtly apprehend, that his very being in England might alarm the people, who would preſently imagine, that ſome miſchief was in agitation, whenever that violent man appeared in this country. Sir George Barclay therefore was choſen as the moſt proper perſon to be intruſted with the conduct of this enterprize. He was a native of Scotland, an experienced officer, of known courage, cloſe and reſerved, and of a competent underſtanding; and withal ſuch a furious bigot in his religion, as to believe, that for the propagation of

of it any the moſt diſhonourable and inhuman actions migh lawfully be committed. This gentleman, having received his commiſſion from king James, and from Mr. Carrol, ſecretary to his queen, had eight hundred pounds to provide men and horſes, and to diſcharge other expences, in conducting and carrying on this conſpiracy; though he afterwards complained of the ſmallneſs of the ſum for accompliſhing of ſo great an undertaking; having firſt given out, that he was gone to Paris to be cured of the foul diſeaſe, left St. Germain's on or about the 10th of December 1695, in order to his embarkation for England. He was brought over, together with major Holms, by captain Gill, and landed in Romney marſh about the beginning of January following. Upon his arrival at London, he applied himſelf to the perſons, in whom he had reaſon to confide, and ſuch as he had the greateſt aſſurance to believe would be ready to engage in this deſperate deſign. Theſe were Harriſon alias Johnſon, a prieſt; captain Charnock, captain Porter, and ſir William Perkins. Sir George Barclay had all the encouragement that could be, to impart his deſign to them, who before had ſhewn a forward inclination to attempt the king's perſon. 1695-6.

Theſe were the principal perſons whom ſir George addreſſed himſelf to. To theſe he communicated the buſineſs, which he came over about, that is, the aſſaſſination of the king; and acquainted them, that, as he was ſent by the late king James to conduct and accompliſh this buſineſs, ſo he had brought over with him the king's commiſſion for his warrant and authority. Charnock and Porter were aſſured by him, that he had ſuch a commiſſion, and ſir William Perkins and Harriſon ſaw and read it. He likewiſe acquainted them, that about twenty officers and troopers out of king James's guards were ordered to come over, and were to be employed in this affair, as was obſerved before. Theſe perſons readily complying with this deſign, to facilitate the invaſion and reſtoration of king James, ſir George ſets them immediately to work, to engage as many more bold and deſperate fellows, as would make up a number ſufficient for that purpoſe, which, as they judged, ought to be at leaſt forty. This the conſpirators chearfully undertook, and with great diligence endeavoured to procure the men whom he deſired. Harriſon demanded of Blaire, who ſome time after viſited him in his lodgings at Somerſet-houſe, whether he knew any ſoldiers or men of courage, for that was their phraſe for ruffians and cut-throats; "for, ſaid he, ſomething may be done in a little time, that "may prove an introduction to king James's reſtoration."

Blaire

1695-6. Blaire anſwered, that he knew ſome ſuch perſons, but then deſired to be informed, how the buſineſs could be effected. The other replied, after ſome diſcourſe about burning the victualling office, to retard the going out of the Engliſh fleet, that he had been told by an able and experienced ſoldier, that with an hundred good horſe he could put an end to the war in a fortnight's time. Blaire anſwered, that then it muſt be done in ſome diſhonourable way, which he durſt not ſo much as harbour in his thoughts. The prieſt, perceiving the ſqueamiſhneſs of the ſoldier, ſhrunk up his ſhoulders, and ſo the converſation ended. But, ſome time after, when Blaire objected to the aſſaſſination as a wicked deſign, that had no authority from God or man to ſupport it; Harriſon acquainted him, that there was a ſufficient warrant, and that himſelf had ſeen it; and then demanded of him, if he thought it proper, that it ſhould be ſhewn to every body. Blaire replied, that he did not imagine, that ſuch a thing had been in king James's nature, and then took his leave.

However, Harriſon attempted Richard Fiſher with more ſucceſs; for having told him, that king James had ſent over a commiſſion by ſir George Barclay to kill the prince of Orange, Fiſher declared his readineſs to embark in this enterprize, and about the 3d of February he was introduced by Harriſon into the company of ſir George Barclay, having firſt deſired him, in caſe he knew ſir George, to take no notice of him. Harriſon acquainted ſir George Barclay, that this was the gentleman he promiſed to bring to him; that he might confide in him, and ſpeak freely to him. Upon which ſir George immediately propoſed to him the aſſaſſinating of his majeſty. Fiſher, without heſitation, conſented, and they preſently entered upon debate about the beſt manner of accompliſhing their purpoſe; and, in order to it, Fiſher undertook to provide five horſes and arms for himſelf and four more. In the mean time Charnock, Porter, and ſir William Perkins loſt no time, but laboured with great application to engage the number of aſſaſſins, for which they had undertaken. Porter's quota was ſeven men and as many horſes; Charnock's ſix or ſeven; ſir William Perkins undertook for five horſes, three to be mounted by men of his own, and the other by ſuch men as the conſpirators ſhould procure. Then ſir George Barclay ſaid, that Lowick and others, who were lately arrived from France, would likewiſe join with them and compleat the number. And now having ſucceeded in the firſt ſtep, and a ſufficient number being undertaken for,

they

hey had many conferences in different places about the beſt way of putting their deſign in execution. 1695-6.

The places, where they met and held their conſultations, were captain Porter's lodgings in Norfolk-ſtreet, the Globe-tavern in Hatton-garden, the Nag's-head in St. James's-ſtreet, the Cock in Bow-ſtreet, the Old-griffin in Holbourn, the Sun-tavern in the Strand, &c. But the place, which ſir George frequented, and whither many of the conſpirators came to receive orders from him, was the piazza in Covent-garden.

At their ſeveral debates various methods were propoſed of executing their purpoſe. One way ſuggeſted was to attack the guards, and in the mean time to kill the king, as he went on ſome Sunday from Kenſington to St. James's chapel; which was offered one time in this manner, that ſix men on foot ſhould be poſted in the little houſe at Hyde-park-gate, who ſhould iſſue out, and, by ſhutting the gate, make a ſtop, and then the conſpirators might fall on and attack the guards with ſword in hand. Another time it was propoſed to ſhoot one of the leading-horſes, whereby his majeſty's coach might be forced to ſtay in its paſſage through the gate, and then to aſſault and murder him by one party, while another engaged the guards. Another propoſal was to attempt the king's perſon, when they ſhould be informed that he was gone to Mr. Lattin's houſe at Richmond, a place where the king ſometimes retired for the air and recreation. The reaſon of this propoſal was, that during his ſtay there he was uſually but weakly guarded. At another time they diſcourſed of ſeizing the king in his palace at Kenſington by night, which was to be done by ſecuring the garden with about forty men, who were to be provided with ladders for that purpoſe. Some inſiſted, that their deſign would be beſt effected by laying an ambuſcade near the king's houſe at Richmond, where a number of foot ſhould be poſted in a neighbouring wood, ready to iſſue forth, and attack him as he paſſed by in his coach, while the reſt of the conſpirators aſſaulted the guards, to prevent their giving him any aſſiſtance.

Though this method was warmly contended for by ſome, and well enough liked by ſir George, yet they were at laſt controuled, and the propoſal was rejected. For the ſcheme which the greateſt part approved, and in favour of which ſir George Barclay did at length declare, whoſe orders the reſt were obliged to obey, and which was at laſt agreed upon among them all, as the final reſult of their debates, was this: They reſolved to attack the king on his return from Richmond in the evening after his hunting, it being his frequent prac-

1695-6. practice to go thither on Saturdays for his diverſion. The place which they choſe for this bloody buſineſs, was the lane between Turnham green and Brentford; and the particular part of that lane agreed upon was the end next to Turnham-green, through which the king uſed to paſs in his return from Richmond.

The execution of this deſign was projected and reſolved upon in the following order: The conſpirators were to be formed into three parties, ſir George Barclay the commander in chief, was, with a choſen party of eight or ten, to aſſault the coach, by diſcharging a blunderbuſs or muſketoon loaded with ſix or eight balls, and their other fire-arms, to murder the king, and all that were with him in the coach; while the other two parties, of which one was to be commanded by Charnock and Porter, the other by brigadier Rockwood, were to attack the king's guards with ſword in hand on either ſide of the lane. And that they might act with great circumſpection, and be yet further ſatisfied, that this was a proper place, wherein to execute their deſperate deſign, they ſent King, Porter and Knightly, to ſurvey the place they had fixed upon.

Accordingly, theſe three perſons rid the next day to Turnham-green, and after having with great attention ſurveyed the place, and the nature of the ground on each ſide the water, they returned to the reſt of the conſpirators, who were then at the Nag's-head-tavern in St. James's-ſtreet to impart to them their obſervations. The report they made was ſo pleaſing to the reſt of their company, that they were all confirmed in their opinion, and abundantly ſatisfied in their choice of the ground. Thus had theſe men agreed upon the ſcene, where to act their tragedy, and concerted the manner of effecting it! That their deſign might be carried on and accompliſhed with great caution and ſecurity againſt any contingency, they appointed two orderly men, Chambers and Durant, to lodge near the guards at Kenſington, and to attend conſtantly there, that they might be ready to give the conſpirators notice whenever the king went abroad. Chambers was appointed to bring his intelligence to Charnock, and Durant his to ſir George Barclay. Chambers had orders to advertiſe them when the king, and Durant was to inform them when the guards, went forth; and ſir George Barclay and Charnock undertook to convey timely notice to the reſt of the conſpirators, that they might all aſſemble at the time and place appointed, and every man take the poſt aſſigned him.

It

It was further agreed and reſolved upon for the accompliſhing of their purpoſe, that when they ſhould receive intelligence that the king was gone towards Richmond, to drop out of town by three or four in a company, the better to avoid ſuſpicion, and afterwards, for the ſame reaſon, to diſperſe themſelves in ſmall parties in the ſeveral inns marked out for them about Brentford, and Turnham-Green, and the neighbouring places, where they might be diſpoſed of with the moſt convenience and the leaſt obſervation, and ſo without any alarm and diſturbance might wait for the king's return from Richmond, and then be all ready to execute their deſign. Moreover, care was taken, that when the king was at Richmond, a truſty perſon ſhould wait at Kew-Ferry, who ſhould give notice, when the Guards returned thither to wait for the king, to the end that every man might prepare himſelf, and be in readineſs. 1695-6.

Having thus fixed on the place, provided their men, and agreed on the order and method of executing their conſpiracy, they at laſt appointed the time of doing it. Saturday the 15th of February 1695-6 was the firſt day that was agreed upon; and then, if Durant and Chambers ſhould bring them intelligence from Kenſington, that the king was gone to Richmond, on that morning they determined to make haſte to their poſts appointed at Turnham-Green, and to attack the Guards, and aſſault the king at his return.

It was but a few days before the 15th of February, on which day the conſpirators reſolved to execute their deſign, when ſome of them began to reflect with horror upon it, and reſolved to eaſe their unquiet minds, and to prevent the execution of the plot by a timely diſcovery.

The firſt of the conſpirators, who diſcovered the treaſon, was captain Fiſher, who came to the earl of Portland on the 11th of February, and acquainted him with the deſign of taking away the king's life, and named ſeveral of the perſons who were concerned in it; but he could not then inform the earl, in what manner it was concerted, nor what day was appointed for it. But he aſſured his lordſhip, that, as ſoon as he ſhould be informed more particularly, he would wait upon him, and give him further ſatisfaction. Accordingly, the 13th of February, Fiſher returned, two days after, to the earl, and acquainted him, that the 15th of February was the day agreed upon by the Conſpirators to attempt his majeſty's life, and then told him in what manner, and in what place they intended to do it.

1695-6. The ſecond, who made the diſcovery, was Mr. Pendergraſs, an Iriſh officer, who knew nothing of the affair till Thurſday the 13th of February; for that day he came to London out of Hampſhire, being ſent for by captain Porter, who imparted to him the deſign of aſſaſſinating the king, and endeavoured to engage him in it. Though Pendergraſs was exceedingly ſtartled at ſuch a propoſal, he ſeemed to comply, and promiſed to make one of the party; but, the very next day in the evening, he went to the earl of Portland, not knowing that Fiſher had been with him before on the ſame errand, and told him, that he came to reveal to him an important ſecret, namely, a deſign againſt his majeſty's [illegible] was a Roman Catholic; [illegible] religion could juſtify ſo [illegible] from principles of [illegible] himſelf obliged, by [illegible] king's falling into the [illegible] acquainted him at the ſame time, that the conſpirators were his friends; and that from one of them he had received great obligations; and therefore, though he thought himſelf bound in duty and conſcience to make this diſcovery, to preſerve his majeſty's life, yet he likewiſe thought himſelf under obligations of honour and gratitude not to betray his friends; and therefore declared, that his reſolution was not to make known their names, nor to appear an evidence againſt them. He then deſired Lord Portland, as he tendered his majeſty's life, to prevail with him not to go to Richmond on the morrow, aſſuring him, that the conſpirators had prepared all things to aſſault him in his return. It ought to be remembered, for the reputation of this gentleman, as to the credibility of his teſtimony, that the mere abhorrence of ſuch a deſign was the only motive that induced him to make it known to the court.

The king being informed of the diſcovery, which Fiſher and Pendergraſs had made to the earl of Portland, received but little impreſſion from it. He was not eaſily brought to credit theſe informations, till a variety of circumſtances, in which the diſcoveries agreed, convinced him of the whole deſign; and it was with great difficulty that he was prevailed with by the lord Portland to lay aſide his going to Richmond that Saturday, and remain in his Palace at Kenſington.

The next man, who voluntarily gave information of this conſpiracy, was Mr. de la Rue, a Frenchman, who declared, That he had frequented the company of the conſpirators, and

and made himſelf intimate with them, on deſign, when this horrible ſcheme was ripe for execution, by a timely diſcovery to defeat it. He applied himſelf to brigadier Leviſon, and acquainted him with the intended villainy ſome few days after, Fiſher and Pendergraſs had been on the ſame deſign with the earl of Portland; but not one of the three was in the leaſt acquainted with the intentions of either of the others, to reveal the conſpiracy. And though de la Rue gave his information without knowing that Fiſher and Pendergraſs had done the like, yet his ſtory ſo fully confirmed that of the other two, agreeing exactly with them in all the material particulars, that the king, notwithſtanding his great averſion to believe this plot, which ſo nearly concerned his own life, was, by this concurrent teſtimony of la Rue, at laſt perſuaded of the truth of it. 1695-6.

On Friday the 21ſt of February, at night, the king admitted Pendergraſs and de la Rue ſeverally into his preſence, and heard them relate what they had told the lord Portland, concerning the conſpiracy. Pendergraſs diſcovered the plot in general, to prevent his majeſty's falling into the hands of the conſpirators; but withal declared, as he had done before to the lord Portland, that it was his ſettled reſolution not to mention names, or, at any time, to become an evidence againſt them. He continued in this reſolution with great ſtedfaſtneſs, till the king uſed ſuch convincing arguments, as prevailed with him to recede from it. The king told him, That he had indeed ſhewn himſelf a man of probity and honour: That he had great obligations to him for the timely care which he had taken to reveal a deſign, that ſo nearly concerned his life. But he ſhewed him withal, that unleſs he went further in his diſcovery, and made him acquainted with the names of the conſpirators, he would not put him in a condition of preſerving himſelf againſt them. That the detection of the truth in general might indeed render him ſuſpicious of all men, but would be no ſecurity againſt any, who intended to take away his life; and that the conſpirators might change the method and order of their deſign, as well as the time and place of execution. And therefore that Mr. Pendergraſs, by diſcovering the conſpiracy, while he concealed the names of the conſpirarors, would fall ſhort of his own intention, which was to preſerve the king's life; it being impoſſible, that his majeſty could be in ſafety, unleſs the deſperate undertakers of this deſign againſt him were known and ſecured. By this method of reaſoning Pendergraſs was at laſt overcome; and being convinced of the abſolute ne-

1695-6. ceſſity of going further in this diſcovery, to enable the king to provide for his ſafety, he wrote down the names of many of the conſpirators, which he delivered to the earl of Portland, but not till the king had given his honour, that he ſhould not, unleſs he pleaſed, be uſed as an evidence againſt them.

On Saturday the 15th of February, the conſpirators concluding, that the king, according to his cuſtom, would go to Richmond to hunt, they had prepared all things, and were ready to mount for the execution of their [illegible] the principal [illegible] the aſſaſſination, met at the Sun-Tavern in the Strand, where they had a long diſcourſe concerning their diſappointment, the Saturday before. Some of them were afraid, that the ſecret had taken air, and their plot was diſcovered to the government. On the other hand, ſome believed, that the deſign was not revealed, and uſed this argument for their opinion, that, if the buſineſs had been diſcovered, they ſhould not have been there aſſembled, as they then were. Upon which, the diſſidence and jealouſy of the others being removed, it was again reſolved, that, if the king went abroad to hunt the next Saturday, they would then endeavour to accompliſh their deſign, in the way and method which they had fixed upon for the Saturday before.

The ſame Friday in the evening, the conſpirators, who belonged to ſir George Barclay's party, met at the two Black-Poſts in Maiden-Lane, where Harris, King, Richardſon, Caſſels, Maxwell, and Hundford, then were. Captain Counter came to them, and ſaid, that they muſt be ſure to be all in a readineſs the next morning; and therefore ordered them by no means to ſtir out. Upon which Caſſels, after having uſed a dreadful imprecation, ſaid, he reſolved to have the plunder of the field, crying out, "Tomorrow is the "day, boys!" Upon which King ſaid, if it did not ſucceed on the morrow, he would entertain no further thoughts about it. Hundford demanded, How they ſhould make their eſcape after the execution of their deſign? Caſſels replied, that he muſt keep with the party, to which he was ordered. The like anſwer ſir George Barclay gave to thoſe, who aſked him the ſame queſtion; that is, when they had killed the king,

king, they ſhould keep together till they came to Hammerſmith, and then diſperſe and go into town by ſeveral ways and in ſmall companies, where they would have no need of lying long concealed; for the invaſion would immediately follow, and then they ſhould be at liberty. But, notwithſtanding this, ſome of the conſpirators, who reflected more cooly upon the affair, and the danger that attended it, were diſſatisfied in their minds, that no better proviſion was made to ſecure their retreat. 1695-6.

The next day, being Saturday the 22d of February, which was the ſecond day agreed upon for the execution of the deſign, Porter's party, as they were appointed, came to him to receive their orders. Firſt came de la Rue, and Porter told him, that all parties were ready to march in the afternoon, provided the king went out a hunting; an account of which they expected from Chambers and Durant, who were poſted at Kenſington. Soon after came Cranburn, Keys, Pendergraſs, and King, the laſt of whom belonged to ſir George Barclay's party. Pendergraſs was choſen out of Porter's number to be one of the eight, who, under ſir George, were to aſſaſſinate his majeſty. King came to Porter with a meſſage from ſir George Barclay. Then Porter, taking a piece of paper, wrote down a liſt of his men, which he ſent by Cranburn, whom he called his quarter-maſter, to captain Charnock. After a ſhort ſtay Cranburn returned, and brought back the paper which he carried, and at the foot of Porter's liſt was added the liſt of Charnock's men, both which made up about eighteen. Then one of the conſpirators told Porter, that he thought their number had been greater, meaning the parties of Charnock and Porter. To which Porter anſwered, that they had been diſappointed of five or ſix. And indeed Kenrick excuſed himſelf upon the account of his arm, which he pretended was broke. Sherburn aſked too many queſtions to be truſted; and Plowden, though he appeared the Saturday before, did not, according to his promiſe, appear now; and one or two more recommended by Lowick had failed them. Then Porter declared, that theſe men, with thoſe of ſir George Barclay, would make up forty, which King declared were enough of all conſcience to do the buſineſs. Cranburn at his return acquainted them likewiſe, that Chambers had ſent intelligence to Charnock, that the king was to go out a hunting between ten and eleven o'clock, which was communicated and received with great joy; and then Porter declared, that Pendergraſs was to be one of the eight who were to attack the king's coach; and

1695-6. ſaid aloud, that he had a ſpecial piece for him, that would carry eight balls. Upon which King in a jocoſe manner ſaid to Pendergraſs, "I hope you will not be afraid of breaking "the glaſs windows." In the mean time major Holmes was very diligent in getting ready ſir George Barclay's party. He ſent Harris to Counter's lodgings, to receive orders; who told him, that he was to be of Rookwood's party; and Rookwood being at the ſame time there, gave [illegible] liſt of names, and told him laughing, that he [illegible] him hi[illegible] camp. In the liſt was H[illegible] Hare, Hundford [illegible] out of town by [illegible] and [illegible] quarter in the inns [illegible] and Brentford, where they were billeted, and had orders to wait till the king's return from Richmond, and then to make their attack in the order agreed on. But on a ſudden, to their mortification, notice was was given, that the king did not go abroad that day. This account was given by Chambers to Charnock, and the news of it was likewiſe conveyed to Porter and his party. Soon after Keys came to them, who were now gone to dine at the Blue-poſts in Spring-Garden, and told them, that the Guards were returned, and the king's coaches were come back to the Meuſe; and that it occaſioned great wondering among the people, that [illegible] ſhould two Saturdays ſucceſſively put off his div[illegible] This ſtruck a ſudden damp and conſterna[illegible]pirators, who now concluded their [illegible] and every one began to think of pr[illegible]urity. But notwithſtanding their da[illegible]t till they had drank ſeveral diſloyal healths. [illegible]en the ſame intelligence to ſir George Barclay, wh[illegible]pon their information, ſent word to his party, that the king, not intending to go abroad that day, there would be no occaſion for their ſervice; and ſoon after ſir George, looking on the deſign as at an end, took care to withdraw, and conceal himſelf.

As none of the conſpirators were ſeized that night, they ſoon recovered their fright, and quieted themſelves. But the next night, a great many of them were taken in their beds, and the day following, the whole diſcovery was laid before the privy-council.

All

All this while king James was waiting at Calais for ſome tidings of that on which he chiefly depended; for upon the firſt notice of the aſſaſſination, he was reſolved to have ſet ſail, many regiments being embarked, and the artillery and ſtores ordered on board: So near was the matter brought to a criſis, when it broke out by the diſcovery made by the perſons above-named. Nay ſo confident were they in France of a ſucceſsful expedition, that the duke of Orleans urged it as an argument to the duke of Savoy to make his ſeparate peace, before the total overthow of the confederates, which muſt of neceſſity attend the reſtoration of king James. Upon the firſt news of king James's coming to Calais, the duke of Wirtemberg diſpatched one of his aids de camp to king William, to give him notice of it, and to acquaint him, that the duke had ſtopped all the ſhips in the harbour and canal of Oſtend, as well as of Bruges, in order to tranſport the forces under his command for his ſervice; and that in caſe he did not quickly hear from him, he would run the hazard of bringing them over. This meſſenger narrowly eſcaping the French at ſea, got to the Engliſh court on February the 22d; and immediately after the king received other expreſſes from the duke of Bavaria and prince Vaudemont, who were then at Bruſſels. And now it appeared how fortunate it was that the winds had been ſo long at ſouth-weſt, and had detained our ſhips in port (which had been much lamented) for by that means we had a great fleet at Spithead ready to ſail: And we had another fleet, deſigned for the ſummer's ſervice in our own ſeas, quite ready, though not yet manned. Many brave ſeamen, ſeeing the nation was in ſuch viſible danger, came out of their lurking holes, in which they were hiding themſelves from the preſs, and offered their ſervice; and all people ſhewed a united zeal, that, in three days, Ruſſel, who was ſent to ſea upon the ſtood over to the coaſt of France, with a fleet, of ſixty men of war. The French were amazed at this; and upon it, their ſhips drew ſo near their coaſts, that he durſt not follow them in ſuch ſhallow water, but was contented with breaking their deſign, and driving them into their harbours. King James ſtayed for ſome weeks there. But, as the French ſaid, his malignant ſtar ſtill blaſted every project, that was formed for his ſervice. 1695-6.

The court of France was much out of countenance with this diſappointment; for that king had ordered his deſign of invading England, to be communicated to all the courts, in which he had miniſters: And they ſpoke of it with ſuch an air broken. The deſign of the invaſion

1695-6. air of assurance, as gave violent presumptions, that th[illegible] king of France knew of the conspiracy against the king's [illegible] and depended upon it; for indeed, without that, [illegible] design was impracticable, considering how great a flee[illegible] had at Spithead; nor could any men of common sens[illegible] enter-tained a thought of it, but with a view of the confusion, [illegible] which the intended assassination must have cast us.

Proclamation for taking the conspira-[illegible]

They went on in England seizing the conspirators; and a proclamation was issued for apprehending [illegible] ab-sconded, with a promise of [illegible] pounds [illegible] such as should [illegible] of them, and the [illegible] to every [illegible] the rest. This [illegible] all people [illegible] most of [illegible] were [illegible] Only [illegible] found, who had brought the com[illegible] though great search was made [illegible] But though the reality of such a commission was fully proved afterwards, in the trials of the conspirators, by the evidence of those, who had seen and read it, all written in king James's own hand (such a paper being too important to be trusted to any to copy) yet much pains was taken to have found the very person who was entrusted with it: The commission itself would have been a valuable piece, and such an original, as was not to be found any where.

The military men would not engage on other terms; they thought, by the laws of war, they were bound to obey all orders, that run in a military stile, and no other; and so

ᵇ The conspirators named in the proclamation were,

James Duke of Berwick,
Sir George Barclay,
Major Lowick,
Captain George Porter,
Captain Stow,
Captain Walbank,
Captain James Courtney,
Lieutenant Sherburn,
Brice Blaire,
—— Dinant,
—— Chambers,
—— Boise,
George Higgons, and his two brothers, sons to sir Thomas Higgons,
—— Davis,
Cardell Goodman,
—— Cranburn,
—— Keys,
—— Pendergrass,
—— Bryerly,
—— Trevour,
Sir George Maxwell,
—— Durant, a Fleming,
—— Knightley,
Lieutenant King,
—— Holmes,
Sir William Perkins,
—— Rookwood.

It is said, that more than one of the conspirators shared the thousand pounds reward with their friends, who took them for that purpose, there not being evidence against them sufficient to convict them.

they

they imagined, that their part in it was as innocent, as the going on any deſperate deſign, during a campaign: Many of them repined at the ſervice, and wiſhed that it had not been put on them; but being commanded, they fancied that they were liable to no blame nor infamy, but ought to be treated as priſoners of war. 1695-6.

Immediately after the king's proclamation was publiſhed, George Harris, one of the perſons who was ſent out of France by king James himſelf, to obey the orders of ſir George Barclay, and was actually engaged in the aſſaſſination, ſurrendered himſelf to ſir William Trumbull, and confeſſed the double deſign of the aſſaſſination and invaſion, though he was not able to tell the particular circumſtances that attended them. Among thoſe that were taken, Porter and Pendergraſs were brought in. Porter had been a vicious man, engaged in many ill things; and was very forward and furious in all their conſultations: The lord Cutts, who, as captain of the Guards, was preſent when the king examined Pendergraſs, but did not know his name, when he ſaw him brought in, preſſed him to own himſelf, and the ſervice he had already done; but he claimed the promiſe of not being forced to be a witneſs, and would ſay nothing: Porter was a man of pleaſure, who loved not the hardſhips of a priſon, and much leſs the ſolemnities of an execution; ſo he confeſſed all; and then Pendergraſs, who had his dependance on him, freely confeſſed likewiſe: He ſaid, Porter was the man who had truſted him; he could not be an inſtrument to deſtroy him; yet he lay under no obligations to any others among them. Porter had been in the management of the whole matter: So he gave a very copious account of it all, from the firſt beginning. And now it appeared, that Pendergraſs had been but a very few days among them, and had ſeen very few of them; and that he came and diſcovered the conſpiracy, the next day after it was opened to him.

When by theſe examinations the matter was clear and undeniable, the king communicated it, in the following ſpeech to both houſes.

"My Lords and Gentlemen,

"I Am come hither this day upon an extraordinary occaſion, which might have proved fatal, if it had not been diſappointed by the ſingular mercy and goodneſs of God; and may now, by the continuance of the ſame providence, and our own prudent endeavours, be ſo improved, as to become

The king's ſpeech to the parliament on account of the plot.

1695-6. " become a sufficient warning to us, to provide for our se-
" curity against the pernicious practices and attempts of our
" enemies.

Feb. 24. Pr. H. C. III. 19. " I have received several concurring informations of a
" design to assassinate me; and that our enemies, at the same
" time, are very forward in their preparations for a sudden
" invasion of this kingdom, and have therefore thought it
" necessary to lose no time in acquainting my parliament
" with those things, in which the safety of the kingdom and
" the public welfare are so [illegible]
" myself, nothing will be omitted on your [illegible] which may
" be thought proper for our present [illegible]

" I have not been wanting to give the necessary orders
" [illegible] and I hope we have such a strength of ships,
" [illegible] be sufficient to disappoint
" [illegible] of our enemies.

" I have also dispatched orders for bringing home such
" a number of our troops, as may secure us from any at-
" tempt.

" Some of the conspirators against my person are already
" in custody; and care is taken to apprehend so many of
" the rest, as are discovered; and such other orders are
" given, as the present exigency of affairs does absolutely re-
" quire at this time for the public safety.

" My Lords and Gentlemen,

" Having now acquainted you with the danger which
" threatened us, I cannot doubt of your readiness and zeal
" to do every thing, which you shall judge proper for our
" common safety. And I persuade myself, we must be all
" sensible how necessary it is in our present circumstances,
" that all possible dispatch should be given to the business be-
" fore us."

Upon this the two houses immediately agreed to wait on the king, that very evening, at Kensington with this address.

" Die Lunæ 24 Feb. 1695.

Address of both houses. Ibid. " WE your majesty's most loyal and dutiful subjects, the
" lords spiritual and temporal, and commons, having
" taken into our serious consideration what your majesty
" hath been pleased to communicate to us this day, think
" it our duty, in the first place, to give your majesty most
" humble thanks for having acquainted your parliament with
" the

" the great danger your ſacred perſon hath been ſo nearly 1695-6.
" expoſed to, and the deſign of an invaſion from our enemies
" abroad. We heartily congratulate your majeſty's happy
" preſervation, and thankfully acknowledge the ſignal pro-
" vidence of God in it; and at the ſame time declare our
" deteſtation and abhorrence of ſo villainous and barbarous
" a deſign. And, ſince the ſafety and welfare of your ma-
" jeſty's dominions do ſo entirely depend upon your life, we
" moſt humbly beſeech your majeſty to take more than or-
" dinary care of your royal perſon. And we take this oc-
" caſion to aſſure your majeſty of our utmoſt aſſiſtance to de-
" fend your perſon, and ſupport your government againſt
" the late king James, and all your other enemies, both
" at home and abroad, hereby declaring to all the world,
" that in caſe your majeſty ſhould come to any violent death
" (which God forbid!) we will revenge the ſame upon all
" your enemies and their adherents. And, as an inſtance
" of our zeal for your majeſty's ſervice, we will give all
" poſſible diſpatch to the public buſineſs. And we make it
" our deſire to your majeſty to ſeize and ſecure all perſons,
" horſes, and arms, that your majeſty may think fit to ap-
" prehend upon this occaſion."

To this addreſs the king anſwered:

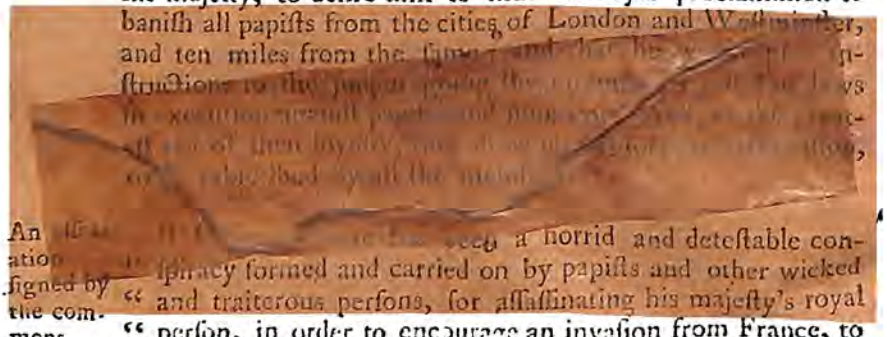
" My Lords and Gentlemen,

" I thank you heartily for this kind addreſs. On my
" part you may be aſſured, that I will do all that is within
" my power, for the conſervation of this kingdom, to which
" I have ſo many obligations. I will readily adventure my
" life for the preſervation of it, and recommend myſelf to
" the continuance of your loyalty and good affection."

The ſame day the commons ordered a bill to be brought in, to empower his majeſty to ſecure and detain all ſuch perſons, as he ſhould ſuſpect were conſpiring againſt his perſon and government; as alſo a bill, that, whenever it ſhould pleaſe God to afflict theſe realms by the death of his preſent majeſty, the parliament then in being ſhould not be diſſolved thereby, but ſhould continue until the next heir to the crown in ſucceſſion, according to the act of parliament, ſhould diſſolve the ſame; and if there ſhould be no parliament then in being, that the laſt preceding parliament ſhould immediately convene and ſit. As the parliament thus wiſely

provided

1695-6. provided againſt that confuſion and diſorder, which might happen by the ceſſation of parliaments, and all commiſſions, on the king's deceaſe; ſo nothing could have been imagined more effectual for the ſecurity of the king's life againſt the malice and violence of his enemies; ſince by this means all hopes of eſcape and impunity were cut off in caſe they ſhould ſucceed in their attempts. They likewiſe voted an addreſs to his majeſty, to deſire him to iſſue his royal proclamation to baniſh all papiſts from the cities of London and Weſtminſter, and ten miles from the ſame; and [illegible] inſtructions to the juſtices [illegible]



An aſſo-
ciation
ſigned by
the com-
mons.
Pr. H. C.
III. 21.

[illegible] ſeen a horrid and deteſtable conſpiracy formed and carried on by papiſts and other wicked "and traiterous perſons, for aſſaſſinating his majeſty's royal "perſon, in order to encourage an invaſion from France, to "ſubvert our religion, laws, and liberty: We, whoſe names "are hereunto ſubſcribed, do heartily, ſincerely, and ſolemnly "profeſs, teſtify, and declare, that his preſent majeſty king "William is rightful and lawful king of theſe realms: "And we do mutually promiſe to engage to ſtand by and "aſſiſt each other to the utmoſt of our power, in the ſupport "and defence of his majeſty's moſt ſacred perſon and go-"vernment, againſt the late king James and all his adherents. "And in caſe his majeſty come to any violent or untimely "death (which God forbid!) we do hereby further freely "and unanimouſly oblige ourſelves to unite, aſſociate, and "ſtand by each other, in revenging the ſame upon his ene-"mies and their adherents, and in ſupporting and defending "the ſucceſſion of the crown, according to an act made in "the firſt year of the reign of king William and queen "Mary, intituled, "An act declaring the rights and liberties "of the ſubject, and ſettling the ſucceſſion of the crown."

This aſſociation was the three following days ſigned by all the members who came to the houſe; and becauſe ſome others had abſented themſelves upon pretence of health or buſineſs, but in reality to avoid ſetting their hands to the aſſociation, it was ordered on the 27th of February, "That "ſuch members, who had not already, ſhould in ſixteen "days ſign it, or declare their refuſal, notwithſtanding their "leave to be abſent." On the appointed day, March 16, the

the names of ſuch members were called over, as were abſent upon the laſt call of the houſe, and ſeveral of them being ſtill abſent, the ſpeaker was ordered to write to thoſe who were in the country, and had not ſigned the aſſociation, or declared their refuſal to do ſo, to know what they would do, and return their anſwer by the firſt opportunity; and at the ſame time the clerk of the houſe was ordered to attend ſuch members as were ill in town, with the aſſociation, in order to their ſigning the ſame, or receiving their anſwer or refuſal. The abſent members ſeeing themſelves ſo preſſed, and the nation at this time in ſo great a ferment againſt the diſaffected, thought it prudent to yield to the times, and either to ſubſcribe the aſſociation, or promiſe to do it upon their firſt coming up to town, though it were againſt their principles to own king William to be rightful and lawful king. However, the aſſociation was on the 3d of April preſented to the king by the commons in a body, with this requeſt, "That his "majeſty would order both that, and all other aſſociations "by the commons of England, to be lodged among the re- "cords in the Tower, there to remain as a perpetual me- "morial of their loyalty and affection to his majeſty." Whereupon the king told them, "That he took this as a "moſt convincing and acceptable evidence of their affection. "And, as they had freely aſſociated themſelves for his and "their common ſafety, he did heartily enter into the ſame "aſſociation, and would be always ready with them, and "the reſt of his good ſubjects, to venture his life againſt all, "who ſhould endeavour to ſubvert the religion, laws, and "liberties of England." And he promiſed them, that this and all other aſſociations, ſhould be lodged among the records in the Tower. The next day the commons made a reſolution, "That whoever ſhould by word or writing affirm, "that an aſſociation entered into by any member of this "houſe, or any other perſon, was illegal, ſuch perſon ſhould "be deemed a promoter of the deſigns of the late king "James, and an enemy to the laws and liberties of this "kingdom." 1695-6.

Another by the lords.

The lords reſolved on an aſſociation as well as the commons. The motion was much oppoſed by the earl of Nottingham, as that of the commons had been by ſir Edward Seymour and Mr. Finch. Their objections turned chiefly upon this, that rightful and lawful were words, that had been laid aſide in the beginning of this reign; that they imported one, who was king by deſcent, and ſo could not belong to the preſent king. They ſaid, that the crown and the prerogatives

1695-6. rogatives of it were vested in him, and therefore they would obey him, and be faithful to him, though they could not acknowledge him their rightful and lawful king. Great exceptions were also taken to the word revenge, as not of an evangelical sound; but that word was so explained, that these were soon cleared. Revenge was to be meant in a legal sense, either in the prosecution of justice at home, or of war abroad. And the same word had been used in that association, into which the nation entered, when it was apprehended, that queen Elizabeth's life was in danger by the [illegible] the queen of Scots. At last the [illegible] the house [illegible] the commons, [illegible] words [illegible] law [illegible] king [illegible], nor any other [illegible] whatsoever to the same." This [illegible] to satisfy those, who said, they could not come up to the words rightful and lawful. And the earl of Rochester offering these words, they were thought to answer the ends of the association, and so were agreed to. Ninety-two only of the commons, and fifteen of the peers, refused to sign voluntarily [c].

The association signed all over England.

The association was carried from the houses of parliament over all England, and was signed by all sorts of people, very few only excepted. The bishops also drew up a form for the clergy, according to that signed by the house of lords,

[c] Among the commons that refused to sign voluntarily, were,

Simon Harcourt,
Henry lord Hyde,
John Manley,
John Tredenham,
Francis Gwin,
Sir Edward Seymour,
John Granville,
John How,
Robert Price,
Thomas Brotherton,
Montague lord Norris,
Heneage Finch,
James Bertie,
William Bromley,
Sir Christopher Musgrave,
William Williams, &c.

See the whole Hist. in Vol. II. p. 139. Oldm.

The fifteen peers were,

Hallifax,
Normanby,
Thanet,
Chesterfield,
Winchelsea,
Scarsdale,
Craven,
Aylesbury,
Feversham,
Nottingham,
Spratt, bishop of Rochester,
Watson of St. David's,
Lord Jefferies,
Lord Chandos,
Lord Ferrars.

with

with ſome ſmall variation; which was ſo univerſally ſigned, 1695-6.
that not above an hundred over all England refuſed it.

Soon after this a bill was brought into the houſe of com- An act to
mons, declaring all men incapable of public truſt, or to ſerve enforce
in parliament, who did not ſign the aſſociation. This paſſed the ſign-
with no conſiderable oppoſition; for thoſe, who had ſigned ing of it.
it of their own accord, were not unwilling to have it made Pr. H. C.
general; and ſuch as had refuſed it, when it was voluntary, III. 23.
were reſolved to ſign it, as ſoon as the law ſhould be made
for it. This bill was intitled, "A bill for the better ſecurity
"of his majeſty's perſon and government," and contained
theſe heads: Firſt, "That ſuch as ſhould refuſe to take the
"oaths to his majeſty ſhould be ſubject to the forfeitures and
"penalties of popiſh recuſants convict." Secondly, "To
"inflict a penalty on ſuch, as ſhould by writing or otherwiſe
"declare, that king William was not lawful and rightful
"king of theſe realms; or that the late king James, or the
"pretended prince of Wales, or any other perſon, than ac-
"cording to the act of ſettlement of the crown, had any
"right to the crown of theſe realms." Thirdly, "To ratify
"and confirm the aſſociation entered into by all his majeſty's
"good ſubjects, for the preſervation of his majeſty's perſon
"and government." Fourthly, "That no perſon ſhould
"be capable of any office or poſt of truſt, civil or military,
"who ſhould not ſign the aſſociation." And fifthly, "That
"the ſame penalties be inflicted on ſuch as come out of
"France, as upon thoſe that go thither.

About the ſame time an order paſſed in council for review-
ing all the commiſſions in England, and for turning out of
them all thoſe who had not ſigned the aſſociation, while it
was voluntary; ſince this ſeemed to be ſuch a declaration of
their principles and affections, that it was not thought reaſon-
able, that ſuch perſons ſhould be any longer either juſtices of
peace, or deputy-lieutenants.

The ſeſſion of parliament was ſoon brought to a conclu- A land-
ſion. A fund was created, upon which the ſum of 2,564,000l. bank
was to be raiſed, which the beſt judges did apprehend was erected.
neither juſt nor prudent. A new bank was propoſed, called March 12.
the land-bank, becauſe the ſecurities were to be upon land:
This was the main difference between it, and the bank of
England: And by reaſon of this, it was pretended, that it
was not contrary to a clauſe in the act for that bank, that no
other bank ſhould be ſet up in oppoſition to it. There was
a ſet of undertakers who engaged that it ſhould prove effec-
tual, for the money for which it was given: This was
chiefly

1695-6. chiefly managed by Foley, Harley, and the tories; it was much laboured by the earl of Sunderland; and the king was prevailed on to consent to it, or rather to desire it, though he was then told by many, of what ill consequence it would prove to his affairs: The earl of Sunderland's excuse for himself, when the error appeared afterwards but too evidently, was, that he thought it would engage the tories in interest to support the government [d]. The

[d] Dr. Chamberlain, the fa- [illegible] man midwife, is said to [illegible] hand in this project [illegible] ead of adva[illegible] [illegible] " [illegible] " [illegible], to be raised " by [illegible] subscriptions." Secondly, "That no person be "concerned in the Bank of "England, and the national "Land-bank at the same time." Thirdly, "That the duties upon "coals and culm, and upon ton- "nage of ships, (which by se- "veral petitions and otherwise "the house had found to be "grievous to the people) be ta- "ken off from the 17th of "March 1696." Fourthly, "That for the making up the "sum of 1,724,000l. already "voted by the House, and the "monies to be made good for "the duties upon coals and culm, "and tonnage of ships, resolved "to be taken off; and for dis- "charging what the duties upon "salt were to answer from the "17th of March 1696, the sum "of 2,564,000l. to be raised "upon this perpetual fund, re- "deemable by parliament." Pursuant to these resolutions, a bill was brought in, and, when it was committed, instructions were given "to restrain the "Bank fr[illegible] [illegible] [illegible] come in [illegible] time, his majesty [illegible] enabled to borrow the [illegible] same." The next day the Bank of England presented a petition against this bill, and were afterwards, by order of the house, heard by their council, but without success; so that the house went on with the bill, and on the 9th of April resolved, first, that towards the supply to be granted to his majesty, for making up the fund of interest of 2,564,000l. the capital stock of the intended national Land-bank, certain duties upon glass wares, stone and earthen bottles, granted before to the king for a term of years, be granted to his majesty, his heirs and successors. Secondly, That a duty be laid upon tobacco-pipes: And, Thirdly, That a further duty be laid upon all stone and earthen ware. Which resolutions were ordered to be inserted in the bill for settling the national Land-bank. Accordingly, the act was passed under the title of an act, continuing to his majesty certain duties upon salt, glass wares, stone and earthen wares, and for granting several duties upon tobacco-pipes, and other earthern wares,

The moſt remarkable acts paſſed this ſeſſion, beſides what have been mentioned, are theſe: 1696.

A ſevere act was paſſed for voiding all the elections of parliament-men, where the elected had been at any expence in meat, drink, or money to procure votes. This act was ſtrictly penned. Abuſes in elections were grown to moſt intolerable exceſſes, which threatened even the ruin of the nation. Acts paſſed this ſeſſion.

Another act paſſed againſt unlawful and double returns; for perſons had been often returned, plainly contrary to the vote of the majority; and in burroughs, where there was a conteſt between the ſelect number of the corporation, and the whole populace, both ſides had obtained favourable deciſions, as that ſide prevailed, on which the perſon elected happened to be; ſo both elections were returned, and the houſe judged the matter. But by this act, all returns were ordered to be made, according to the laſt determination of the houſe of commons: Theſe were thought good ſecurities for future parliaments. Happy had it been for this nation, if the other act againſt bribing at elections, had proved as effectual as this was.

An act for the more eaſy recovery of ſmall tithes, was alſo paſſed for three years, but made perpetual afterwards by queen Anne.

To prevent marriages without licence or banns, an act was paſſed, by which the miniſter, in ſuch caſe, forfeits 100l. and the perſon ſo married 10l. This was chiefly with a view to ſecure the ſtamp-money. For, upon every licence or certificate of marriage, there was a duty laid of five ſhillings.

It was cuſtomary in Wales, for widows and younger children to claim a ſhare of their huſbands and fathers effects, called their reaſonable part, notwithſtanding theſe effects were otherwiſe diſpoſed of by will or deed. As this occaſioned great troubles, diſputes, and expences, an act was now paſſed, aboliſhing that cuſtom, and enabling the inhabitants of Wales to diſpoſe of all their perſonal eſtate, as they ſhall think fit.

wares, for carrying on the war with France, and for eſtabliſhing a national Land bank, and for taking off the duties upon tonnage of ſhips, and upon coals. The ſubſcription was to be 2,564,000l. for the intereſt of which at 7 per cent. was to be raiſed, out of the abovesaid duties, 179,480l. This bank was to lend out 500,000l. a year upon land ſecurities, at 3l. 10s. per cent. per annum. In caſe the ſubſcription was not full by the 1ſt of Auguſt 1696, the Bank was to ceaſe and determine.

1696.

The royal assent denied to a bill about elections. Pr. H. C. III. 24

Though an act was passed this session, for the further regulating elections of members of parliament, and preventing the irregular proceedings of sheriffs and other officers elected, and in returning such members: Yet another bill was brought in to regulate elections, which passed both houses, but to which the king refused to give the royal assent. Upon this, the commons shewed some resentment against those that advised the king not to pass the bill, and on the 24th of April the question was put, that whosoever advised his [illegible] not to give his assent to that bill, was an [illegible] country. But, as it was perceived, by [illegible] that were for the affirmative, th[illegible] [illegible] between the [illegible] [illegible]ative was [illegible] [illegible] [illegible]orty-nine voices, [illegible] [illegible]; however it was ordered, that [illegible] should with the votes print the question [illegible] the names on both sides.

The Parliament is prorogued April. 27. Pr. H. C. III. 24. The king's speech. Ibid.

Three days after, the king came and closed the session with the following speech to both houses.

"My Lords and Gentlemen,

"YOU have shewn so great concern for my person, and "zeal for my government, and have done so much for "the preservation of the one, and for the strengthening of "the other, by the good laws, which have been made, and "by the supplies you have provided for the several occasions "of this year, that the late designs of our enemies are, by "the blessing of God, like to have no other effect, than to "let them see, how firmly we are united; and to give me "occasion to acknowledge your kindness, and to assure you "of all the returns, which a prince can make to his people.

"My Lords and Gentlemen,

"The necessity of affairs requiring my absence out of the "kingdom for some time, I do earnestly recommend to you, "that in your stations you will be assisting to those whom I "shall leave to administer the government; and that you will "be careful in preserving the public peace of the kingdom."

Then the lord keeper, by his majesty's command, prorogued the parliament till the 16th of June.

The conspirators tried.

Thus ended this memorable session. After most of the conspirators, who had not fled beyond sea, were either taken or come in voluntarily, and all the examinations were over, some of them were brought to their trials. Mr. Robert

Charnock was begun with. He was one of the two fellows of Magdalen-College, who in king James's time had turned papiſt, and was a hot and active agent amongſt them. He was a man of good parts, and, next to ſir George Barclay, was the chief manager and promoter of the intended aſſaſſination. This was ſo fully proved againſt him, that he was found guilty. He ſhewed great preſence of mind, with temper and good judgment, and made as ſtrong a defence as the matter could bear. Endeavours were uſed to perſuade him to confeſs all he knew; for he had been in all the plots from the beginning. His brother was employed to deal with him, and he ſeemed to be once in ſuſpence; but the next time that his brother came to him, he ſaid, that he could not ſave his own life, without doing that, which would take away the lives of ſo many; that he did not think his own life worth it. This ſhewed a greatneſs of mind, which had been very valuable, had it been better directed. Thus this matter was underſtood at that time. But many years after, the lord Somers gave biſhop Burnet a very different account of it. Charnock, it ſeems, ſent an offer to the king, of a full diſcovery of all the conſultations and deſigns of his party, and deſired no pardon, but only that he might live in ſome eaſy priſon; and if he was found to prevaricate in any part of his diſcovery, he would look for the execution of the ſentence. But the king apprehended, that ſo many perſons would be found concerned, and thereby be rendered deſperate, that he was afraid to have ſuch a ſcene opened, and would not accept of his offer. With Charnock were tried lieutenant King and Thomas Keys, formerly a trumpeter, and lately captain Porter's ſervant, who had little to ſay for themſelves; ſo that, upon a full hearing of the evidence, they were all three found guilty of high-treaſon, and executed at Tyburn on the 18th of March. Before the executioner did his office, the malefactors delivered each a paper to the ſheriffs, wherein they confeſſed the crime which they were accuſed of, but endeavoured to palliate it, and at the ſame time to juſtify both king James, the Jacobites, and the Roman catholics. Charnock particularly owned, "That to facilitate king "James's invaſion of England, himſelf and ſome others "did agree to attack the prince of Orange, and his guards. "That as for any order or commiſſion of king James's for "aſſaſſinating the prince of Orange, he neither ſaw nor "heard of any, but had had frequent aſſurances of that king's "having rejected ſuch propoſals, when they had been offered. That he had heard, there was a commiſſion arrived

1696. Charnock. March 11.

King and Keys tried.

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1696. "for levying of war, which it was natural to believe, if "the king was in ſuch readineſs to come over, as was re- "ported; but that he never ſaw it. And as to what re- "garded the body of the Roman catholics, he muſt do them "the juſtice, that they had no manner of knowledge of this "deſign, nor did he believe it was communicated to any other "party of ſuch as were reputed the king's friends, but car- "ried on merely by a ſmall number, without the advi- "conſent, or privity of any parties whatſoever." paper was to the ſame purpoſe: But the way that to vindicate king James, rather faſtened upon him. They did not deny, that commiſſion to attack the prince of orter de- poſed, Charnock told him had been de- nied by a dying man, ould have been of ſome weight. But inſtead of levying that, which was ſworn, he only denied, that king James had given a commiſſion for aſſaſſination. And it ſeems, great weight was laid on that word; for all the conſpirators agreed in it, and denied that king James had given a commiſſion to aſ- ſaſſinate the prince of Orange. This was an odious word, and perhaps no perſon was ever ſo wicked, as to order ſuch a thing in ſo crude a manner. But the ſending a commiſſion to attack the king's perſon was the ſame thing upon the matter, and was all that the witneſſes had depoſed. There- fore their not denying this in the terms, in which the wit- neſſes ſwore it, plainly implied a confeſſion that it was true. But ſome, who had a mind to deceive themſelves or others, laid hold on this, and made great uſe of it, that dying men had acquitted king James of the aſſaſſination. Such ſlight colours will ſerve, when people are engaged beforehand to believe as their affections lead them.

Remarks on their papers given to the ſheriffs.

Perkins and Freind tried and executed, April 3. Burnet.

The next, who were tried, found guilty, condemned, and executed on the 3d of April for the ſame complicated crime of the aſſaſſination and invaſion, were ſir John Freind, and ſir William Perkins. Freind had riſen from mean beginnings to great credit and much wealth. He was employed by king James, and had all this while adhered firmly to his in- tereſts. His purſe was more conſidered than his head, and was open on all occaſions, as the party applied to him. While colonel Parker was formerly in the Tower (as has been related) upon information of an aſſaſſination of the king deſigned by him, he furniſhed the money that corrupted the keepers, and helped him to make his eſcape. He knew of the aſſaſſination, though he was not to be an actor in it. But he had a commiſſion for raiſing a regiment for king James,

and

and he had entertained and paid the officers, who were to 1696.
ſerve under him. He alſo joined with thoſe who had ſent over Charnock in May 1695, with the meſſage to king James. Upon all this evidence, Freind was condemned. Sir William Perkins was a gentleman of eſtate, who had gone violently into the paſſions and intereſts of the court in king Charles IId's time: He was one of the ſix clerks in chancery, and took all the oaths to the government, rather than loſe his place. He not only conſented to the deſign of the aſſaſſination, but undertook to bring five men, who ſhould aſſiſt in it; and he had brought up horſes for that ſervice, from the country; but had not named the perſons; ſo that this lay yet in his own breaſt. He was not to have acted in the buſineſs himſelf, for he had likewiſe a commiſſion for a regiment, and therefore was to have reſerved himſelf for that ſervice. He had alſo provided a ſtock of arms, which were hid under-ground, and were now diſcovered. Upon this evidence he was condemned. Great endeavours were uſed both with ſir John Freind and him to confeſs all they knew. Freind was more ſullen, as he knew leſs; for he was only applied to and truſted, when they wanted his money. Perkins fluctuated more; he confeſſed the whole thing, for which he was condemned, but would not name the five perſons, whom he was to have ſent in to aſſiſt in the aſſaſſination. He ſaid, that he had engaged them in it, and therefore could not think of ſaving his own life by deſtroying theirs. He confeſſed, that he had ſeen king James's commiſſion. The words differed a little from thoſe, which Porter had mentioned; but Porter did not ſwear, that he ſaw it himſelf, and only related what Charnock had told him concerning it. Yet Perkins ſaid, they were to the ſame effect. He believed, it was all writ with king James's own hand, he having ſeen his writing often. He owned, that he had raiſed and maintained a regiment, but he thought he could not ſwear againſt his officers, ſince he himſelf had drawn them into the ſervice; and he affirmed, that he knew nothing of the other regiments. He ſent for the biſhop of Ely, to whom he repeated all theſe particulars, and ſeemed much troubled with a ſenſe of his former life, which had been very irregular. The houſe of commons ſent ſome to examine him; but he gave them ſo little ſatisfaction, that they left him to the courſe of the law. His tenderneſs, in not accuſing thoſe whom he had drawn in, was ſo generous, that this alone ſerved to create ſome regard for a man, who had been long under a bad character. In the beginning of April, Freind and he were executed toge-

1696. ther. At their execution, they delivered their confessions to the sheriffs. Sir John Freind, though he denied his knowledge of the invasion and assassination, yet seemed to own himself guilty, in endeavouring to justify himself by saying, "That the cause, he suffered for, he firmly believed to be "the cause of God and true religion, and agreeable to the "laws of the land, which he had ever heard to [illegible] "firm duty and allegiance. That as no "foreign," [illegible] "[illegible] any "domestic" power can alienate [illegible] allegiance; "for it was altogether new and [illegible] "the king's subjects can depose and [illegible] on any account, or constitute any, that ha[illegible] immediate right "to his place; and that, as they ought not to do [illegible], "when it was done, to assist him in recovery of his right "[illegible] justifiable, and their duty. He professed himself a "member of the church of England, which he heartily be-"sought God Almighty to bless and preserve; to deliver "this sinful nation from the guilt of rebellion, blood, and "perjury; to comfort the distressed king, restore him to his "right, and his misled subjects to their allegiance; and to "bless his royal consort and his royal highness the prince of "Wales, that he might "grow in stature and in favour "with God and man." Sir William Perkins confessed, "That he was privy to a design upon the prince of Orange, "but was not to act in it; and he was fully satisfied, that "very few or none knew of it, but those, who undertook to "do it. That he had seen a commission from king James "to levy war against the prince of Orange; but, as for any "commission particularly levelled against his person, he nei-"ther saw nor heard of any such. That he thought it for "his honour to say, he was intirely in the interest of king "James, being always firmly persuaded of the justice of his "cause, and looked upon it as his duty, both as a subject "and an Englishman, to assist him in the recovery of his "throne, which he believed his majesty to be deprived of, "contrary to all right and justice; in which opinion he "took the laws and constitution of his country for his guide. "And, lastly, that he died in the communion of the church "of England, in which he was educated." A very remarkable instance of the boldness of the jacobites, appeared on this occasion. Freind and Perkins had not changed their religion, but still called themselves protestants; so three of the nonjuring clergymen, Mr. Collier, Mr. Snatt, and Mr. Cooke, waited on them to the place of execution; where they all three joined to give them the absolution of the church,

They are publickly absolved.

as

as it ſtands in the office of "viſitation of the ſick," and ac- 1696.
companied the ceremony with a ſolemn impoſition of hands. The court was extremely offended at this conduct of theirs, which ſeemed to juſtify the conſpiracy, ſince the dying perſons owned the ill deſigns, in which they had engaged, and expreſſed no ſort of repentance for it. Fourteen of the biſhops therefore, who happened to be then in London, publiſhed a Declaration, "wherein they cenſured the perfor-"mance of this office of the church, without a previous "confeſſion made, and abhorrence expreſſed by the priſoners "of the heinous crime, for which they died, as extremely "inſolent and without precedent in the manner, and altoge-"ther irregular in the thing, being a manifeſt tranſgreſſion "of the church's order, and profane abuſe of the authority "of Chriſt, ſince Mr. Collier, and Mr. Snatt, and Mr. "Cooke muſt either look on the perſons abſolved as impene-"tents or martyrs." The lord chief juſtice Holt, likewiſe on the 7th of April, repreſented to the grand jury, in the court of King's-bench, the pernicious practices of thoſe three "ab-"ſolving prieſts," and the jury delivered a preſentment againſt them, ſetting forth, that they were enemies to his majeſty and his government, promoters and encouragers of the aſſaſſination and invaſion, and a ſcandal to the church. But though a bill of high miſdemeanour was found againſt them, and Cooke and Snatt were committed to Newgate; yet, through the lenity of this reign, no manner of puniſhment was inflicted on them; and Jeremy Collier, who kept out of the way, with great aſſurance publiſhed ſeveral papers, wherein he endeavoured to juſtify his practice. with reſpect to manner, form, and occaſion.

On the 21ſt of April, brigadier Rookwood, major Lowick, and Mr. Charles Cranburn, three other conſpirators, were brought to their trial, and were the firſt, who had the benefit of the ſtatute made this very ſeſſion, to regulate trials in caſes of high-treaſon. But neither the copy of the indictment, which was delivered to them, nor the advantage of being defended by ſir Bartholomew Shower, and two other eminent lawyers, did avail them much; for the evidence againſt them was ſo plain and poſitive, that they were all three found guilty, and received ſentence accordingly. Rookwood and Lowick were papiſts; they expreſſed their diſlike of the deſign, but inſiſted on this, that, as military men, they were bound to obey all military orders; and they thought that the king, who knew the laws of war, ought to have regard to this, and forgive them. Great interceſſion was made Rookwood, Lowick and Cranburn tried. April 21. Burnet.

1696. by ſome noblemen for the life of Lowick, but in vain. Cranburn called himſelf a proteſtant, but was more ſullen than the other two; to ſuch a degree of fury and perverſeneſs had the jacobites wrought up their party. They were all three executed on the 29th of April.

Knightly and Cooke tried.

Mr. Knightly and Mr. Cooke, (ſon of ſir Miles Cooke, one of the ſix clerks in chancery) were the two laſt that were tried this year. Knightly confeſſed all, and upon that, tho' he was condemned, he had a reprieve, and was afterwards pardoned. Cooke was tried on account of the intended invaſion; for he was not charged with the aſſaſſination. His trial was conſidered as introductory to that of the earl of Ayleſbury (who had been committed to the Tower) for the evidence was the ſame as to both. Porter and Goodman were two witneſſes againſt him. They had been with him at a meeting in a Tavern in Leaden-hall-ſtreet, where Charnock received inſtructions to go to France with the meſſage to king James. All, that was brought againſt this, was, that the maſter of the tavern, and two of his ſervants, ſwore, that they remembered well when that company was at the tavern, for they were often coming into the room where they ſate, both at dinner-time, and after it; and that they ſaw not Goodman there; nay, they were poſitive, that he was not there. On the other hand, Porter depoſed, that Goodman was not with them at dinner, but that he came to that houſe after dinner, and ſent him in a note; upon which he, with the conſent of the company, went out and brought him in. And then it was certain, that the ſervants of the houſe were not in that conſtant attendance; nor could they be believed in a negative, againſt a poſitive evidence to the contrary. Their credit was not ſuch, but that it might be well ſuppoſed, that, for the intereſt of their houſe, they might be induced to make ſtretches. The evidence was believed, and Cooke was found guilty, and condemned. He obtained many ſhort reprieves, upon aſſurances, that he would tell all he knew. But it was viſible, that he did not deal ſincerely, and his puniſhment ended in a baniſhment.

The Allies burn the French magazines at Givet. Boyer. Kennet.

As ſoon as the news came to Flanders, that the conſpiracy was diſcovered, the king ſafe, and England freed from the apprehenſions of an invaſion, the prince of Vaudemont and the other generals bethought themſelves of making ſome attempt, by way of revenge, upon the French, for their intended invaſion of England. In order to which, having drawn together a body of troops from ſeveral garriſons, the earl of Athlone, and lieutenant-general Coehorn marched from Namur with forty ſquadrons, thirteen battalions, fifteen pieces

pieces of cannon, and ſix mortars. While the earl, with the greateſt part of theſe forces, inveſted Dinant, Cochorn advanced with the reſt of the troops and all the artillery to Givet, where the enemy had laid up a large magazine; and, having got his batteries in readineſs by the 16th in the morning, he began to fire into the town with bombs and red-hot bullets, which ſet both the forage and houſes on fire. At the ſame time a detachment of ſoldiers were commanded to enter the town with large flambeaux in their hands; which they performed with great bravery, firing the cazerns and granaries, where the oats and other magazines lay; ſo that the whole town and magazine were intirely conſumed; and all this executed with the inconſiderable loſs of nine or ten men. 1696. Mar. 13. N. S.

Not long after ſir Cloudeſly Shovel ſailed out of the Downs with ſeveral men of war and bomb-veſſels, and being come to Calais on the 3d of April, captain Benbow, notwithſtanding the vigorous oppoſition from the enemies boats and half-gallies, threw between three and four hundred bombs, moſt of which fell in the town, and among the imbarkations in the pier, and ſet fire to the town in three or four places, and to ſome veſſels in the port. Though the ſucceſs of this bombardment did not anſwer either the expence or expectation of the Engliſh, yet the damage not was ſo inconſiderable as the French gave out; it being certain, that ſeveral houſes were burnt and ſpoiled, beſides the church and convent and ſome part of the cazerns.[a] Calais bombarded. Apr 3.

Before the king went abroad, he conferred the following honours and preferments. Honours and preferments.

George Hamilton, third ſon of duke Hamilton, for his military ſervices in Ireland and Flanders, was created earl of Orkney, in the kingdom of Scotland.

Sir John Lowther, on the 1ſt of May, was created baron Lowther of Lowther, and viſcount Lonſdale in the county of Weſtmoreland; and the ſame day ſir John Thomſon, bart. was raiſed to the dignity of a baron of this kingdom by the ſtile and title of baron Haverſham of Haverſham in the county of Bucks. At the ſame time his majeſty conſtituted ſir Thomas Littleton one of the lords commiſſioners of the treaſury; Mr. Chriſtopher Muſgrave, clerk of the ordnance; and Mr. James Lowther, clerk of the delivery of the Ord-

[a] It is remarkable, that the French have raiſed a croſs and oratory near a well, which to this day ſticks in the market-place at Calais, ſays Boyer, vol. III. p. 172.

nance;

1696. nance; and conferred the honour of knighthood on Theodore Janſſen, an eminent merchant of the city of London, for the zeal, which he had on all occaſions expreſſed for the government, particularly in the buſineſs of the bank of England. Not long after the lord keeper of the great ſeal of England, or the lord chancellor, the lord preſident of the privy-council, the firſt commiſſioner of the treaſury, or lord treaſurer, the firſt commiſſioner of the admiralty, or lord admiral, the two principal ſecretaries of ſtate, and the chancellor of the exchequer, for the time being, and the earls of Bridgewater and Tankerville, ſir Philip Meadows, William Blaithwayte, John Pollexfen, John Locke, Abraham Hill, and John Methuen, eſquires, were declared commiſſioners of trade and plantations. Mr. Popple was made ſecretary to this board.

On the 1ſt of May the king having declared in council, that he had appointed the ſame perſons to adminiſter the government during his abſence, who had diſcharged that truſt laſt year, he departed a few days after for Holland, and on the 7th ſafely arrived at the Hague.

Campaign abroad feebly carried on. Burnet. Boyer.

The ſummer paſſed over, both in Flanders and on the Rhine, without any action. The diſcovery of the plot, and the proceedings of the parliament upon it, took up ſo much time, that the king could not prevent the enemies taking the field before him. But the common ſcarcity of money kept both armies quiet. All the funds given for this year's ſervice proved defective, but that of the land-bank failed totally; and the credit of the bank of England was much ſhaken. About five millions of clipped money was brought into the exchequer; and the loſs that the nation ſuffered, by the recoining of the money, amounted to two millions, and two hundred thouſand pounds. The coinage was carried on with all poſſible haſte; about eighty thouſand pounds was coined every week: yet ſtill this was ſlow, and the new money was generally kept up; ſo that, for ſeveral months, little of it appeared. This ſtop, in the free circulation of money, put the nation into great diſorder: thoſe who, according to the act of parliament, were to have the firſt payments of milled money, for the loans they had made, kept their ſpecie up, and would not let it go, but at an unreaſonable advantage. The king had no money to pay his army, ſo they were in great diſtreſs, which they bore with wonderful patience: by this means, the king could undertake nothing, and was forced to lie on the defenſive: nor were the French ſtrong enough to make an impreſſion in any place; the king had a mighty

mighty army, and was much ſuperior to the enemy, yet he could do nothing; and it paſſed for a happy campaign, becauſe the French were not able to take any advantage from thoſe ill accidents, that our want of ſpecie brought us under; which indeed were ſuch, that nothing but the ſenſe all had of the late conſpiracy, kept us quiet and free from tumults. It now appeared, what a ſtrange error the king was led into, when he accepted of ſo great a ſum, to be raiſed by a land-bank: it was ſcarce honourable, and not very ſafe at any time; but it might have proved fatal at a time, in which money was like to be much wanted, which want would have been leſs felt, if paper credit had been kept up: but one bank working againſt another, and the goldſmiths againſt both, put us to great ſtreights: yet the bank ſupplied the king in this extremity, and thereby convinced him, that they were his friends in affection, as well as intereſt. 1696.

On the other hand, France was very uneaſy under ſo long and ſo deſtructive a war. The country was exhauſted, and they had neither men nor money. Their trade was ſunk to nothing, and public credit was loſt. The creation of new offices, which always was conſidered as a reſource never to be exhauſted, did not work as formerly: few buyers or undertakers appeared. The French king's health was thought declining; he affected ſecrecy and retirement; ſo that both the temper of his mind, and the ſtate of his affairs, diſpoſed him to deſire a peace. Accordingly, this ſummer he made ſome ſteps towards it; and the ſtreights, to which both armies were reduced, ſeemed to favour his negotiations. Before the king's arrival at the Hague, monſieur Callieres was ſent with propoſitions to the ſtates, for ſettling the preliminaries of a treaty, at the ſame time that d'Avaux was preſſing the king of Sweden to offer his mediation. The king of France addreſſed himſelf firſt to the Dutch, becauſe he ſuppoſed, that they could not but be weary of a tedious war, which had almoſt ruined their trade, the only ſource of their riches, and even ſubſiſtence, and would therefore ſooner hearken to peace, than either the emperor or the king of England. It is true, the Hollanders had an abſolute dependence upon his Britannic majeſty, not only becauſe he was their ſtadtholder, but alſo becauſe, ſince their firſt ſettlement, they always found it, and eſteemed it their intereſt to keep cloſely united to England, in order to maintain a balance between the houſes of Bourbon and Auſtria, and preſerve themſelves from being cruſhed by either. Yet, as the French king was at laſt reſolved to acknowledge king William, (which reſolution he took

Treaty of peace ſet on foot by France.

1696. took ſoon after the intended invaſion miſcarried) ſo he believed, that the Dutch would not coldly entertain the propoſals, which he deſigned to make them, ſince, by removing this great obſtacle, the way ſeemed to lie open to a general peace.

The ſtates of Holland finding by the French king's propoſals, and his offers to deliver up ſo many places, that there was room for an honourable and laſting peace, they gave Callieres a favourable reception, but yet refuſed either to grant him a paſſport, except by the concurring allowance of king William, or to treat without His and the conſent of their other allies. This was no more than Callieres expected; for though, at the treaty of Nimeguen, the French plenipotentiaries found a way to draw the Dutch to a ſeparate peace, by making them jealous of the prince of Orange; yet he was perſuaded, that the Hollanders were by this time too ſenſible of their former miſtake, to ſuffer the French to play the ſame game over again. However, Callieres having poſitive orders from his maſter not to acknowledge king William, till he had good aſſurances of the peace, he found out an expedient, which was, that the ſtates and he ſhould not come to a final concluſion; but, if they found reaſon to agree upon any point, that the ſame ſhould be communicated to their allies. To this the Dutch readily conſented; and, amongſt other particulars, demanded as preliminaries of the treaty, the reſtitution of Lorrain, and of the towns of Straſburg and Luxemburgh. Callieres granted both in his maſter's name, but, upon condition, that Lorrain ſhould be reſtored to the duke of that name, on ſuch terms only as had been agreed to at Nimeguen. This was oppoſed by the preſident Canon, who took care of the duke of Lorrain's intereſts in Holland, under pretence, that, when his maſter entered into the grand alliance, the confederates engaged never to conclude a peace, till he had full ſatisfaction done him; urging, that, if the duke's dominions were not reſtored to him, but upon the terms of the peace of Nimeguen, he ſhould rather be a loſer than a gainer by the confederacy, ſince he could have made a better bargain with the French king before he entered into the war. But as, in moſt alliances, great potentates ſeldom regard the concerns of thoſe petty princes, whom they have engaged in their quarrel, when they have no more need of them; ſo the allies, after they had ſpoken once or twice in the duke of Lorrain's behalf, did not think fit to inſiſt any longer upon that affair; though Canon gave in ſeveral memorials, which were ſome time ſupported by the imperial miniſters, whoſe

whoſe maſter was deſirous to prolong the concluſion of the treaty. On the other hand, that ſpirit of chicanery, and injuſtice, that had reigned ſo long in the French court, ſtill appeared in every ſtep, that was taken towards a treaty; for they made uſe of equivocal terms in every paper, which was offered in their name. The ſtates-general had felt the effects of theſe in former treaties too ſenſibly, not to be now on their guard againſt them. But the French ſtill returned to them; and, when ſome points ſeemed to be quite ſettled, new difficulties were ſtill thrown in. It was urged by them, that the popiſh religion muſt ſtill continue at Straſburg; and that the king of France could not in conſcience yield that point. It was alſo pretended, that Luxemburg was to be reſtored in the ſame ſtate, in which it was when the French took it. Theſe variations did almoſt break off the negotiation; but the French would not let it fall, and yielded them up again. So that it was viſible all this was only an amuſement, and an artifice, by this ſhew of peace, to get the parliament of England to declare for it; ſince, as a trading nation muſt grow weary of a war, ſo the party, which they had among the Engliſh, would join in with the inclination, that was now become general, to promote the peace. For, though our affairs were in all reſpects, except that of the coin, in ſo good a condition, that the nation felt itſelf grow richer by the war, yet, during each campaign, we ran a greater riſque than our enemies did; for all our preſervation hung on the ſingle thread of the king's life, and on that proſpect the party, that were averſe to the government, had great hopes, and acted with much ſpirit during the war, which there was great reaſon to think muſt ſink with a peace. 1696.

To make the Spaniards the more willing to put an end to the war, the duke of Vendoſme, who this year commanded the French forces in Catalonia, reſolved to make them feel the power of his maſter's arms, by attacking them in their camp near Oſtalrick. In order to this he paſſed the river Ter, and underſtanding, that the Spaniſh cavalry, commanded by the prince of Heſſe Darmſtadt, had advanced out of the lines to obſerve him, fell upon them with great vigour. The Spaniards ſeeing none but horſe appear againſt them, reſolutely ſtood their ground, and forced ſome of the French ſquadrons to retire. But, when they ſaw the number of the enemy increaſe, and a ſtrong body of infantry come up to ſupport them, they retreated in very good order under the cannon planted on their lines; where the French, eager of purſuit, met with ſuch a warm reception, as quickly obliged them to retire Campaign in Catalonia.

1694-5. retire in their turn. In this action the Spaniards loſt near three hundred men, and the French about two hundred. Both the king and queen of Spain were about this time ſo ill, that, as is uſual upon ſuch occaſions, it was ſuſpected they were both poiſoned. The king of Spain relapſed often, and at laſt remained in that low ſtate of health, in which he ſeemed to be always rather dying than living. The Court of France were glad of his recovery, being not then in a condition to undertake ſuch a war, as the Dauphin's pretenſions muſt have engaged them in.

Campaign on the Rhine. The campaign on the Rhine was ſtill more inconſiderable than that in Catalonia. The French indeed, in the beginning of the ſpring, boaſted their paſſing the Rhine, and forced prince Lewis of Baden to intrench himſelf to avoid an engagement. But now, towards the end of the year, the prince in his turn croſſed the Rhine near Mentz, and being joined by the Heſſian troops, advanced to Newſtadt, where the French were ſo ſtrongly intrenched, that all he could do was to cannonade them for ſeveral days. It was at the ſame time ſo contrived, that general Thungen ſhould have paſſed the Rhine not far from Philipſburg, in order to have attacked the French in the rear; but they, having notice of that deſign, detached the marquis d'Uxelles to diſappoint it. So that the Germans, after they had got ſome booty, and divers hoſtages for contribution, repaſſed the Rhine towards the beginning of October, and then marched into winter quarters.

The principal affair of this year, in relation to the grand confederacy, was managed in Italy. During the winter the Affairs of Piedmont. court of France renewed their intrigues with the duke of Savoy, to engage him in a ſeparate peace. The pope's Nuncio, and the Venetian envoy, ſeconded the deſigns of that crown, their maſters being deſirous of ſending the Germans out of Italy, and taking the duke out of the neceſſity of depending on thoſe, whom they called heretics. The management in the buſineſs of Caſal looked ſo dark, that the lord Galway, the king's general and envoy there, apprehended there was ſomething myſterious under it. But the duke would not own, that he was in any negotiation, till he ſhould have received the advances of money, that were promiſed him from England and Holland; for he was much ſet on heaping up treaſure, even during the war; to which end he had debaſed his coin ſo, that it was not above a ſixth part in intrinſic value of what it paſſed for. He was always beſet with his prieſts, who were perpetually complaining of the progreſs, which hereſy was like to make in his dominions. He had indeed granted

granted a very full edict in favour of the Vaudois, reſtoring to them their former liberties and privileges, which the lord Galway took care to have expreſſed in the moſt emphatical words, and paſſed with all the formalities of law, to make it as effectual, as laws and promiſes can be. Yet every ſtep, that was made in that affair, was merely extorted from the duke by the interceſſion of the king and the ſtates-general, and by the lord Galway's zeal. But the French were grown ſo weary of the war, and found the charge of it ſo heavy, that they made the duke ſuch large and advantageous offers, that he reſolved to accept them, notwithſtanding his ſtrict engagements of honour to the allies. However, he wanted not plauſible reaſons to juſtify his conduct in this point; for though England and Holland had ever punctually paid in the ſubſidies, which they had promiſed, and even ſomething more; yet the emperor and king of Spain were greatly in arrears in their contributions and ſupplies. Indeed the allies did not fail to aſſure him, that they would procure him conditions at the general treaty, as much, if not more, advantageous, than thoſe which France offered him at preſent. But thoſe were looſe and diſtant promiſes, and theſe of France certain and at hand, and ſupported beſides by threats from that crown to invade the reſt of his country next ſummer with a formidable army. However, though the duke urged the probability of the effects of this threatening, to juſtify his conduct to the allies; yet it is certain, that a ſtronger motive inclined him to a ſeparate peace, and that was the marriage of his eldeſt daughter to the dauphin's eldeſt ſon. It was not ſafe to conclude this treaty at Turin, where the duke was narrowly obſerved by the lord Galway; and therefore, to eſcape the ſagacity of that miniſter, he went towards the cloſe of the winter, with a ſmall retinue of his own naming, to our Lady of Loretto, concealing a political journey under the pretence of a religious vow. This gave no ſmall umbrage to the lord Galway, who knowing him to be more a ſtateſman than a bigot, and being refuſed to accompany him, ſent ſpies after him. But, notwithſtanding all their vigilance, they could never get the leaſt notice of the treaty of peace, which the duke ſigned at Loretto, by the mediation of the agents of Rome and Venice, and a private meſſenger from the marſhal de Catinat. By this treaty the French reſtored to the duke all the new conqueſts which they had made, as alſo Pignerol demoliſhed; gave him four millions of livres towards the reparation of the damages, which he had ſuſtained during the war; engaged to aſſiſt him with

1696.

A ſeparate peace between France and Savoy.

1696. with eight thouſand foot and four thouſand horſe, to be maintained at the charge of the king of France; and that a marriage between the duke of Burgundy, and the princeſs his daughter, ſhould be forthwith treated of, to be conſummated as ſoon as they ſhould be of age. As for the princeſs's portion, it was agreed, that the duke ſhould give her two hundred thouſand crowns of gold, towards the payment of which, he was to give a diſcharge for one hundred thouſand crowns of gold which remained due by France to the houſe of Savoy, as a part of the ducheſs royal's portion; and the remainder the French king promiſed to remit in conſideration of this preſent treaty, of which the pope and Venetians were guarantees, and which was ſoon after ratified in France [d].

As ſoon as the duke was returned from Loretto, his chief care was to conceal this engagement, not only from the miniſters and generals of the allies, but even from his own. The marquis de St. Thomas was the only perſon whom he had entruſted with this important negotiation, and who, in a diſguiſe, had taken many journies to Pignerol, to confer either with count de Theſſé, governor of that place, or with marſhal de Catinat, who came thither incognito upon the ſame account. But becauſe it is almoſt impoſſible for a miniſter of ſtate to abſent himſelf from court, without being miſſed, the marquis de St. Thomas's frequent diſappearing gave no ſmall ſuſpicion to the miniſters of the allies, who cauſed him to be ſo diligently obſerved, that his clandeſtine journies to Pignerol

[d] Lambert in his Memoirs (I. p. 1.) ſays, it was believed that France cauſed it be reported, that the duke's pretence for making a ſeparate peace, was king William's declaring to the count de la Tour, that the giving Pignerol to the duke of Savoy ſhould not be inſiſted on. This was only to cover the true ſpring of that peace which was negotiated by ſurprize. The ſucceſs of the aſſaſſination-plot in 1696, was thought ſo certain, that about the time it was to be executed, the court of France ſent a perſon of diſtinction to the duke of Savoy, who repreſented to him, that king William was juſt then killed. That he knew him to be the ſupport of the grand alliance, which would be now entirely broken, and therefore the duke ought to take care of himſelf. That France had a great regard for him, and would grant him advantageous terms. The duke was ſurpriſed at this news, which the other perceiving, told him with an air of aſſurance, that he muſt give an immediate and poſitive anſwer. The duke deſired half an hour to conſider, which being granted, he walked into his cloſet, and the time being elapſed, he accepted the offers of France.

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were at laſt diſcovered. Though this was a convincing proof of the duke of Savoy's holding intelligence with the enemy, yet they managed him very tenderly, and never took notice of the matter. But, not long after his return from Loretto, the king having received information of the ſeparate treaty concluded there, acquainted the lord Galway with it, who immediately communicated this advice to the other miniſters of the allies, and began his expoſtulations with the duke, ſhewing him the principal articles which he had concluded with France. The duke was extremely ſurpriſed at this diſcovery, but perſiſted in denying it, till the French advancing to his aſſiſtance, enabled him to throw off all diſguiſe, without fearing the reſentment of his allies. For to cover this defection from the allies, it was further agreed, that Catinat ſhould draw his army together, before the duke could bring his, to make head againſt him; and that he ſhould be ordered to attempt the bombardment of Turin, that ſo the duke might ſeem to be forced, by the extremity of his affairs, to take ſuch conditions as were offered him. Accordingly, towards the end of May, marſhal de Catinat came down from the mountains of Savoy into the plains of Turin, with an army of near fifty thouſand men, and much ſuperior in number to the confederates. The duke of Savoy ſtill diſſembled; and as if there had been no intelligence between him and the court of France, under pretence of defending his places, he put all his own infantry into them, and ſent all the confederate forces to the camp at Montcallier, which he fortified by drawing a line from the Doero to the Po, in order, as was pretended, to ſecure his capital city againſt a bombardment. 1696.

Of all the officers in the French army, the marſhal de Catinat alone was acquainted with the treaty, which occaſioned ſome diſputes between him and the grand prior. The duke, the better to cover his deſign, ſent out daily German parties to harraſs the French foragers, which generally returned with advantage. This the grand prior bore with great impatience, and had often deſired leave of the marſhal to charge them, but had ſtill been denied. Provoked by theſe refuſals, and aſcribing the general's conduct either to want of courage or experience, in the height of his zeal for the French king's ſervice, he acquainted him with Catinat's proceedings, in a letter ſubſcribed by moſt of the other ſubaltern generals. The king ſmiled at this information, and ſent an anſwer, that the marſhal had obeyed his orders, and that, in a ſhort time, the event would fully juſtify his conduct.

1696. The grand prior queſtioned the king's meaning, of which he had no longer reaſon to doubt, when, on the 12th of July, a truce was concluded for a month, and afterwards continued to the 15th of September. The duke of Savoy endeavoured to obtain the conſent of the allies to this ſuſpenſion of arms; but though they ſtill refuſed it, yet they behaved themſelves ſo, as if they had in effect accepted it. The duke had demanded ſo much time, that he might, at leaſt with ſome ſhew of honour, diſengage himſelf from his confederates; for as early as the month of June, he had begun to throw off all diſguiſe; and having communicated to the miniſters of the allies, the propoſals which France made him, and repreſented the great ſuperiority of the enemies army, he owned his inclination to accept them, palliating his breach of the treaty of confederacy with ſeveral plauſible reaſons. Moreover, he wrote to moſt of the potentates concerned in the grand alliance, to aſk their conſent; but though every one of them
Aug. 23. poſitively refuſed it, yet he did not ſtop here, but ſigned again openly the treaty, which he had ſecretly concluded ſome months before. The allies, on their part, left no means untried to bring him back to their intereſt. They made him offers more advantageous than the former; and count Mansfield, whom the emperor had ſent expreſs on this important affair, propoſed a match between the king of the Romans and the princeſs of Savoy, with an augmentation both of troops and ſubſidies. But all the count's eloquence, which he exerted on this occaſion, was to no purpoſe, for the duke remained firm in his former engagement. Prince Eugene, who commanded the Imperial troops, though nearly related to the duke, was extremely provoked at this unexpected change; and prince Commercy, a youth of a violent ſpirit, was ſo enraged at it, that he ſent a challenge to the duke, who would have met him ſword in hand, but was with great difficulty prevented by ſome of his courtiers, who happened to be informed of the challenge. This quarrel was ſoon after made up, and theſe two princes parted very good friends. In this interval, the French hoſtages for the treaty, the count de Theſſé, and the marquis de Bouſole, arrived at Turin, with magnificent equipages; and at the ſame time the count de Tana and the marquis d'Aix, were ſent by the duke to Catinat's camp upon the ſame account.

One of the chief reaſons, which made the duke of Savoy conceal his ſeparate peace with ſo much precaution, was (as has been noted) his deſign of getting the remaining part of the ſubſidies due to him from the confederates. He was particularly

ticularly informed of a conſiderable remittance from England to Genoa, which he wanted to have had in his own coffers; but the lord Galway being acquainted in time with his new engagements, he ſtopped that money, of which he afterwards made uſe in the Milaneſe, for the payment of the troops under his command, and of ſome Bavarians and Brandenburghers, which he took into the Engliſh ſervice. It is reported, that ſome of the ſubaltern generals of the allies had formed a deſign to ſeize on the city of Turin, of which they were already in poſſeſſion; and at the ſame time to ſecure the duke's perſon, in order to force him to break with France. Of this he was informed, but ſeemed little to mind or fear it; for though he durſt not go to the camp at Montcalier, yet he paſſed and repaſſed daily by the Spaniſh and German guard, as he went out of Turin, and often viewed their incampment on the glacis of that city. After all, ſuch an enterprize might eaſily have been executed, but to go through with it would have been almoſt impoſſible, conſidering the weakneſs of the confederates and the ſtrength of the French, who, by the help of the inhabitants and the duke's troops, would quickly have made themſelves maſters of all the places in Piedmont, and ſhamefully turned out the intruders. Accordingly, this project was diſdainfully rejected by the lord Galway, and the other generals in chief, who had more wiſdom than to violate the rights of ſovereignty in ſo unwarrantable a manner. 1696.

When the news of theſe proceedings reached Flanders, king William was incamped at Gemblours, where preſident de la Tour, the duke of Savoy's envoy, notified to him the ſeparate peace, which his maſter had made with the French king, and that the forces of the allies were to depart his country within a limited time, or be forced to it by his troops aſſiſted by thoſe of France; but that it was in the power of the confederates to make a neutrality, which ſhould include all Italy, within the ſame time. The king, who was juſtly concerned, that the duke ſhould by letter have excuſed the matter to the emperor, king of Spain, and the electors of Bavaria and Brandenburgh, and not to himſelf, received count de la Tour's meſſage with great coldneſs, and with his uſual reſervedneſs turned the diſcourſe to other ſubjects.

The king of France, in conformity to the treaty, made a ſolemn reſignation of all manner of pretenſions to Savoy, and the duke's territories, whilſt the troops of the allies began to retire out of a country where they were already looked upon as enemies; and to provide for the ſecurity of the Mila-

1696. neſe, which the French forces, in conjunction with thoſe of Savoy, were to attack, in order to force the Spaniards to accept of the neutrality that was offered them and the reſt of the confederates. The duke followed them cloſe, and upon the expiration of the truce, entered the Milaneſe at the head of the French and his own troops, by virtue of his commiſſion of generaliſſimo from the French king; and four days after laid ſiege to Valentia. Thus, by an adventure not to be parallelled in hiſtory, the ſame general commanded two contending armies in one campaign. Nay, it is remarkable, that the duke, before the allies departed his territories, gave the orders to them, and at the ſame time to the French, both parties acknowledging him for their chief; a ſtrain of policy unknown even to his anceſtors, though they ſhewed themſelves inconſtant enough between the houſes of France and Auſtria upon ſeveral occaſions.

Valentia beſieged.

The ſiege of Valentia was rather a political than a formal attack. For though the duke of Savoy, who had all honours paid him as generaliſſimo, was for making a vigorous attempt upon the place, becauſe it was agreed that all the conqueſts made on the Spaniards ſhould remain in his poſſeſſion; yet Catinat having private orders from the French king not to obey the duke any further than his intereſt ſeemed to require it, being unwilling to ſuffer a prince, who had been already ſo troubleſome a neighbour to France, to increaſe his power in Italy, he prolonged this ſiege as much as poſſible, in order to give the allies time to come in and accept the neutrality, which was the chief thing the French king had in view. Mean while the treaty was carrying on by the prince of Fundi for the emperor, the marquis de Leganez on the part of the Spaniards, the lord Galway for king William, and the marquis de St. Thomas for the duke of Savoy; and many conferences were held, before they could be brought to any concluſion. But though the Savoyards in good earneſt, and the French in appearance, were ſo eager to take Valentia, yet Catinat, for the reaſon beforementioned, having formed the attacks on the ſtrongeſt ſide, and the garriſon, which conſiſted of near ſeven thouſand men, Germans, Spaniards, and French Proteſtants, making an obſtinate reſiſtance, the beſiegers, after thirteen days of open trenches, and the loſs of two thouſand men, had made no conſiderable progreſs; when unexpectedly the marquis de Leganez's meſſenger brought the king of Spain's acceptance of the neutrality of Italy. In this the Spaniards made a haſty ſtep; for had they ſtaid a little longer, the great and continual rains, which

which began to fall as ſoon as the treaty was ſigned, would certainly have obliged the French to raiſe the ſiege, and forced the duke of Savoy to give them winter-quarters in Savoy. By this treaty it was agreed, "That there ſhould be a neutrality "or ſuſpenſion of arms till a general peace. That the im- "perial and French troops ſhould depart out of Italy, and "return into their own countries. That in lieu of winter- "quarters, which the princes of Italy were otherwiſe obli- "ged to allow the Imperialiſts, they ſhould furniſh them with "three hundred thouſand crowns, that is to ſay, one third "before their retreat, and the remainder at a time prefixed, "upon ſufficient ſecurity: And that as ſoon as the Imperi- "aliſts ſhould begin to march off with ſome part of their "troops, the French proportionably ſhould do the like." Thus by the intrigues and artful negotiations of France was concluded the particular peace of Italy; which undoubtedly was a great ſtep towards a general one, through the advantage, which that court reaped from this neutrality; ſince by it they not only ſaved great ſums of money, but were at liberty to turn their united forces againſt the reſt of the confederates. Indeed an accident, which fell out not long before, ſeemed to embroil the princes of Chriſtendom in new conteſts, and that was the death of John Sobieſki, the third of that name, king of Poland, who died of an apoplectic fit, in the 70th year of his age. His deceaſe, as it uſually happens in elective kingdoms, was attended with much confuſion among his ſubjects, and great animoſities between the competitors for his crown. 1696. King of Poland dies. June 17.

Thus ended the war in Piedmont, after it had laſted ſix years: Pignerol was demoliſhed; but the French, by the treaty, might build another fort at Feneſtrella, which is in the middle of the hills, and ſo would not be ſo important as Pignerol was, though it might prove an uneaſy neighbour to the duke of Savoy. The duke's daughter was received in France as ducheſs of Burgundy, though not of the age of conſent; for ſhe was but ten years old.

This year proved alſo fatal to Mary Anne of Auſtria, queen mother of Spain, who died of a cancer in her breaſt. Her death was as conſiderable a loſs to the confederates in general, as to the Spaniards in particular, conſidering her prevailing influence over the Spaniſh counſels, to make them take ſuch reſolutions, as were conformable to the intereſts of the common cauſe. She was daughter to the emperor Ferdinand III. was born in 1634, and married in 1649 to Philip IV. king of Spain. Anne of Auſtria dies. May 17.

1696. Our affairs at ſea went well, with relation to trade. All our merchant fleets came ſafely home, and we made no conſiderable loſſes. On the contrary, we took many of the French privateers; which now gained little in a way of war that in ſome of the former years had been very advantageous to them. Upon the breaking out of the conſpiracy, orders were ſent to ſir George Rooke at Cadiz, to bring home the ſquadron under his command. The Spaniards murmured at this; though it was reaſonable for the Engliſh to take care of themſelves in the firſt place. Sir George's arrival the latter end of April, diſſipated the fears that the Breſt and Toulon ſquadrons might join and intercept him. For the Toulon ſquadron had alſo orders to come about; and they got into Breſt an other harbours before ſir George, being joined by ſome other men of war from the Downs, was ready to meet them. He left the French coaſts, and on the 3d of May went into Torbay; from whence he ſet out for London, to aſſiſt at the admiralty-board, having reſigned the command to the lord Berkley. About three weeks after, lord Berkley ſailed towards Uſhant, to inſult the coaſt of France. To that end, he commanded the Burford and Newcaſtle, with a fire-ſhip to land on the iſland of Guoy, and at the ſame time ſome ſmall veſſels were ſent along the ſhore. The fleet anchored near Belle-Iſle; and the boats were immediately manned, and ordered to land upon Horeal, one of the iſlands called the Cardinals; which they did, and burnt the town. They had the like ſucceſs on Hodicke, another of thoſe iſlands. Three Engliſh and two Dutch men of war, with the long-boats, and other ſhips, and ſeven hundred ſoldiers and mariners, were ſent to join the men at Guoy, who, with their aſſiſtance, deſtroyed twenty villages, took as many ſmall veſſels, and killed and carried off one thouſand ſix hundred horſes and black cattle. Mean while, ſir Martin Beckman, with the bomb-veſſels, and ten men of war, under the command of captain Mees, arrived before St. Martin's, a trading town on the iſle of Rhee. About two thouſand bombs and carcaſſes were fired with ſuch ſucceſs, that the greateſt part of the town was burnt, or miſerably ſhattered. The French recovering their ſurprize, brought cannon and mortars to the ſhore, and fired upon the Engliſh, who contenting themſelves with the miſchief they had done, ſailed away towards Olonne; where they had but little ſucceſs, through a miſtake in the ſituation of the place. Theſe loſſes, though not conſiderable in themſelves, put the French affairs into great diſtraction; and the charge which they were at, in defend-

Affairs at ſea. Burnet. Burchet.

defending their coaſt, was much greater than ours, in attacking it. But it is very probable that much greater advantages might have been made, if the fleet had not been ſo divided, that faction appeared in every order, and in every motion. Nor did the king ſtudy to remedy this, but rather kept it up, and ſeemed to think that this was the way to pleaſe both parties; though he found afterwards, that by all his management with the tories, he diſguſted thoſe who were affectionate and zealous to him; and that the tories had too deep an alienation from him, to be overcome with good uſage. Their ſubmiſſion, however, to him gained their end, which was to provoke the whigs to be froward and uneaſy. 1696.

The French thought the miſchief done upon their coaſt to be in ſome meaſure repaired by the famous Du Bart, who with eight men of war, and four privateers, fell in with a great fleet of Dutch merchant-ſhips, homeward-bound from the Sound, under convoy of ſix or ſeven frigates; and having taken the frigates, and burnt four of them, deſtroyed about thirty merchant-men, and took ſeveral of the reſt. This was the ſtate of affairs at home and abroad this ſummer. Du Bart's ſucceſs at ſea.

The 8th of September the parliament of Scotland met at Edinburgh; and the lord Murray, ſecretary of ſtate, and lately created earl of Tullibardine, was appointed the king's commiſſioner. Scotland was now falling under great miſery, by reaſon of two ſucceſſive bad harveſts, which exhauſted that nation, and drove away many of their people; the greateſt number went over to Ireland. The parliament was very thin, to whom the commiſſioner made a ſpeech on the occaſion of their meeting; as did likewiſe the lord Polwarth, chancellor of Scotland. Two days after the king's letter was read, and then all the members ſigned an aſſociation, the ſame in ſubſtance with that in England. They reſolved to give the king a ſupply of 1,440,000l. Scots, to be raiſed by a land-ceſs, and an additional exciſe, for maintaining the ſtanding forces both by ſea and land. And conſidering the danger this kingdom was in by the late conſpiracy, they ordered an act to be brought in, for ſecuring their religion, lives, and properties, in caſe his majeſty ſhould come to an untimely death; and another for obliging all in public truſt to ſign the aſſociation. Theſe acts being paſſed, which were great checks upon the enemies of the government, the parliament, on the 12th of October, was adjourned to the 8th of December. Affairs of Scotland. Burnet.

1696. On the 30th of May the lord Capel, lord deputy of Ireland, dying after a long ſickneſs, the council, in purſuance of an act made in the 33d year of king Henry VIII. elected the lord chancellor Porter to be lord juſtice, and chief governor of that kingdom, till the king's pleaſure was known. The Iriſh parliament met at Dublin, the 27th of June, according to their laſt adjournment. In the lords houſe the king's commiſſion was read, appointing the lord chief juſtice Haly to be their ſpeaker; and the commons, at the ſame time, having expelled Mr. Sanderſon, the only member of the houſe who had not ſigned the aſſociation, adjourned to the 4th of Auguſt; upon which day ſir Charles Porter, lord chancellor, and the earls of Montrath and Drogheda, now appointed lords juſtices and general governors of Ireland, ſignified the king's pleaſure to the parliament, that they ſhould farther adjourn themſelves.

Affairs of Ireland.

On the 8th of December ſir Charles Porter was ſeized with a fit of an apoplexy, and died immediately.

The king returns to England.

The king being weary of a campaign, that afforded him no opportunity for action, left the army towards the latter end of Auguſt under the command of the elector of Bavaria, and went to his uſual diverſion of ſtag-hunting about his palaces of Dieren and Loo. On the 14th of September, he ſet out from Loo, accompanied by the duke of Zell, (a prince whom he ever reſpected as a father, and loved as a brother) and the next day went to Cleves, where he was magnificently entertained by the court of Brandenburg, who were come thither on purpoſe to receive his viſit. Having ſpent two days at this agreeable place, the king and the duke of Zell went back to Loo, where three days after he was followed by the elector of Brandenburg, in return of his viſit at that court. Having ſtaid three weeks longer at this place, the king went to the Hague, and embarked on board the William and Mary yatcht, attended by a ſquadron of men of war under the command of vice-admiral Aylmer. Two days after he landed at Margate, and arrived the ſame evening at Kenſington.

Oct. 4.

The ſecond ſeſſion of the third parliament.

The parliament, after ſeveral prorogations, being met at Weſtminſter on the 20th of October, the king made the following ſpeech to both houſes.

Octob. 20.

The king's ſpeech. Pr. H. C. III. 258.

"My Lords and Gentlemen,

"I Have called you together as ſoon as was poſſible; and I think it a great happineſs, that this year has paſſed "without

" without any diſadvantage abroad or diſorder at home, con- 1696.
" ſidering our great diſappointment in the funds given at
" your laſt meeting, and the difficulties, which have ariſen
" upon the recoining of the money.

" This is ſo convincing a proof of the good diſpoſition of
" my army, and of the ſteady affections of my people, that
" I cannot but take notice of it with great ſatisfaction. Our
" enemies have not been without hopes, that ſuch a con-
" juncture might have proved fatal to us. But, as they
" have failed in thoſe expectations, ſo I am fully perſuaded,
" that your unanimous proceedings in this ſeſſion will make
" them for ever deſpair of an advantage from any diſagree-
" ment among ourſelves.

" It muſt be confeſſed, that the buſineſs which you have
" before you, will be very great, becauſe of the neceſſity of
" ſupplying former deficiencies, as well as making provi-
" ſions for the next year's ſervice.

" And upon this occaſion, it is fit for me to acquaint you,
" that ſome overtures have been made in order to the en-
" tering upon a negotiation for a general peace. But I am
" ſure we ſhall agree in opinion, that the only way of treat-
" ing with France is with our ſwords in our hands; and
" that we can have no reaſon to expect a ſafe and honourable
" peace, but by ſhewing ourſelves prepared to make a vi-
" gorous and effectual war. In order to which, I do very
" earneſtly recommend to you, gentlemen of the houſe of
" commons, that you would conſider of raiſing the neceſ-
" ſary ſupplies, as well for maintaining the honour of par-
" liaments in making good the funds already granted, as for
" carrying on the war the next year; which I think ought
" not to be leſs than what was intended to be raiſed for that
" purpoſe the laſt ſeſſion.

" I muſt alſo put you in mind of the civil liſt, which
" cannot be ſupported without your help; and the miſerable
" condition of the French proteſtants does oblige me to
" mention them to you again.

" My Lords and Gentlemen,

" It may deſerve your conſideration, whether there do not
" ſtill remain ſome inconveniencies relating to the coin,
" which ought to be remedied. And I hope you will find
" out the beſt expedients for the recovery of credit, which
" is abſolutely neceſſary, not only with reſpect to the war,
" but for carrying on of trade.

" I am

1695. "I am of opinion, that there is not one good Engliſh-
"man who is not intirely convinced, how much does de-
"pend upon this ſeſſion; and therefore I cannot but hope
"for your unanimity and diſpatch in your reſolutions, which
"at this time are more neceſſary than ever for the ſafety and
"honour of England."

Remarks on the king's ſpeeches.

Whoever was conſulted in forming and drawing up of king William's ſpeeches, the wiſdom and ſpirit of them are his own; and there are in them a temper and complacency, which cannot but affect all that heard or read them, let the neceſſity of his affairs oblige him ever ſo often to call upon his parliament for ſupplies, towards carrying on a war in which he engaged by their advice. The difference between this government and that of the princes who reigned immediately before him, may be conceived in part even by their ſpeeches. The little deference thoſe princes ſhewed to parliaments, on almoſt all occaſions, was a proof of their diſpoſition to get rid of them, and rule without them, whenever it was in their power; as the complacency and temper in king William's ſpeeches were proofs that he looked upon himſelf as the father of his people, who could not well avoid making him ſuitable returns of duty and affection. Accordingly the houſe of commons unanimouſly voted, "That
"they would ſupport his majeſty and government againſt all
"his enemies both at home and abroad; and that they
"would effectually aſſiſt him in the proſecution of the pre-
"ſent war againſt France, and that an humble addreſs
"ſhould be prepared to be preſented to his majeſty purſuant
"to the ſaid reſolution." This addreſs, being drawn up by Mr. Montague, chancellor of the Exchequer, was preſented to the king by the whole houſe, on the 23d of October, and was as follows:

"May it pleaſe your moſt excellent Majeſty,

The commons addreſs. Fr. H. C. III. 27.

"THIS is the eighth year, in which your majeſty's moſt
"dutiful and loyal ſubjects, the commons in parliament
"aſſembled, have aſſiſted your majeſty with large ſupplies
"for carrying on a juſt and neceſſary war, in defence of our
"religion, preſervation of our laws, and vindication of the
"rights and liberties of the people of England, which we
"have hitherto preſerved, and by the bleſſing of God, upon
"your majeſty's conduct and good government, will ſtedfaſtly
"maintain and entail upon our poſterity.

"This

" This hath coſt the nation much blood and treaſure, but 1696.
" the hopes of accompliſhing ſo great and glorious a work
" have made your ſubjects chearfully ſupport the charge.
" And to ſhew your majeſty and all chriſtendom, that the
" commons of England will not be amuſed or diverted from
" their firm reſolutions of obtaining by war a ſafe and ho-
" nourable peace, we do, in the name of all thoſe we re-
" preſent, renew our aſſurances to your majeſty, that this
" houſe will ſupport your majeſty and your government
" againſt all your enemies both at home and abroad; and
" that they will effectually aſſiſt you in the proſecution and
" carrying on the preſent war againſt France."

To this the king returned the following anſwer:

" Gentlemen,

" The continuance of your zeal and affection is the thing
" in the world I value moſt; and I will anſwer it by all the
" ways I can think of, and will make your good, and the
" ſafety of the nation, the principal care of my life."

Theſe aſſurances of affection on the one ſide, of loyalty on the other, and of mutual confidence in both, being given, the commons entered upon the three great affairs, recommended to them from the throne; namely, the further remedying the ill ſtate of the coin; the providing a ſupply for the next year's ſervice; and the reſtoring of public credit; all which had a near dependance upon each other, and made the difficulties more intricate.

Proceedings of the parliament about the coin. Ibid.

As to the coin, the commons reſolved, that they would not alter the ſtandard of gold or ſilver in fineneſs, weight, or denomination; and becauſe the circulation of guineas had been obſtructed of late, by reaſon of the want of other coin, and the act made the laſt ſeſſion to take off the obligation of coining gold, a bill was paſſed, which received the royal aſſent, for leave to import guineas, and coin gold at the Mint. While guineas, for want of ſilver money, were current at thirty ſhillings, the Dutch and other foreigners imported as many as they could find into England, and laid them out in the moſt merchantable wares; by this means they made a gain of their guineas, of as much as the then currency of them was, above their real value, which was ſo much loſs to the Engliſh, and to prevent this inconvenience, the bill againſt importing guineas was paſt. But now that the

1696. the value of guineas was reduced to little more than the real value, that reaſon againſt bringing them in ceaſed. Two other acts were alſo paſſed; one for the further remedying the ill ſtate of the coin, and the other for encouraging the bringing wrought plate into the Mint to be coined. By theſe acts, the hammered money and plate were to be received at five ſhillings and four-pence an ounce.

The ſupply for 1697.

As to the ſupply, the commons having conſidered the ſtate of the war for the year 1697, both in relation to the navy and land-forces, which, at their deſire, had been laid before them, they granted the ſum of two millions, three hundred and ſeventy-two thouſand, one hundred and ninety-ſeven pounds for the maintenance of forty thouſand ſeamen, and of two marine regiments, and for the ordinary of the navy, and the charge of the regiſtry of ſeamen; and the ſum of two millions five hundred and ſeven thouſand, eight hundred and eighty-two pounds, for the maintaining eighty-ſeven thouſand four hundred and forty men, to be employed in England and beyond the ſeas; and for the extraordinary ſervice of the office of ordnance, the pay of the general officers, and the charge of the tranſports, hoſpitals, and other contingencies of the war. Beſides which, they voted the ſum of one hundred and twenty-five thouſand pounds for making good the deficiency in recoining the hammered money, and the recompence to be given for bringing plate into the Mint [e].

To raiſe the ſums granted for the proſecution of the war, the commons had recourſe to the moſt equal of all impoſitions, a general poll-tax, laying a duty upon all perſons according to the true value of their real and perſonal eſtates, profeſſions, employments, &c. So that none were exempt from the tax, but ſuch as received alms; and at the ſame time they laid three ſhillings in the pound upon land [f].

The public credit reſtored. Burnet. Pr. H. C.

But the great difficulty was to find a way to reſtore public credit. All tallies and funds ſettled by parliament, eſpecially ſuch as were remote, were exchanged for ready money at a

[e] For raiſing this ſum, a duty of ſix-pence per ounce was laid upon all plate that ſhould not be brought in; and a duty of twenty per cent. upon all paper, paſteboard, vellum, and parchment imported, and 17l. 10s. upon the ſame goods made in this kingdom, or in ſtock, for the term of two years.

[f] A duty of 15s. per cent. was alſo laid upon leather for three years. The old ſubſidy of tonnage and poundage was alſo doubled (dying wares excepted) for two years and three quarters, and an additional aid of one ſhilling in the pound upon land.

very

very great loſs, and the government was obliged to make exceſſive diſcounts and allowances to bring treaſure into the Exchequer. This great loſs of credit, which was like to have proved fatal to our affairs abroad the laſt ſummer, aroſe chiefly from two cauſes: The deficiencies of all the parliamentary funds (particularly the unhappy project of the land-bank, which totally failed, and did not produce one penny of above two millions and a half, with which it was charged) and the recoining of the ſilver. It is eaſy to imagine what ſtreights the nation was in, when the notes of the bank of England, which had been a great help to the public, were diſcounted at twenty, and tallies at forty, fifty, or ſixty per cent. The government had contracted a great debt; and theſe arrears were put upon the funds of the revenue, which had been granted but for five years, and that term was now expiring. Great numbers of tallies were on funds very remote, and many had no funds at all. Hereby the truſt and good opinion of the people were ſo far loſt, that thoſe few, who had any money to lend, ſhewed the greateſt backwardneſs imaginable to bring it into the Exchequer, when they could employ it in ſtock-jobbing to ſo great advantage upon the Royal Exchange; and therefore all loans to the government were procured on exorbitant premiums. 1696.

All men were amazed, and wondered what meaſures the parliament would take in ſuch perplexing difficulties, hardly believing it poſſible to find out any expedient that could be effectual to repair ſo great a miſchief. The enemies of the government had now the ſatisfaction of ſeeing it ſufficiently diſtreſſed, ſince our affairs could not be more embarraſſed than they were at this juncture. And as the wiſeſt men without doors were at a loſs how to cure this evil, ſo the malecontents concluded, that it never would be cured, and therefore conſidered the government as deſperate, and triumphed in the expectation of a ſudden revolution. But this parliament, which was principally animated by the wiſdom, ſagacity, and eloquence of Mr. Mountague, chancellor of the Exchequer, being fully convinced, that the reſtoration of public credit was a point of the utmoſt importance, inſtead of being diſcouraged by the difficulty of effecting it, were rather excited to undertake the work with greater zeal and application. They were made ſenſible, that one great ſpring of this miſchief, was the deficiencies of ſeveral aids and duties, which neither had been nor ever would be ſufficient to anſwer the principal and intereſt charged upon them; and that theſe deficiencies, and the remoteneſs of the courſe of payments,

1696. ments, were the true reaſons why the owners of ſuch tallies were frequently neceſſitated, for the procuring of ready money, to diſpoſe of them at a great loſs; by which means the public credit was extremely weakened, commerce interrupted, and other public and private affairs exceedingly perplexed. The commons therefore came to a reſolution, "That "a ſupply be granted to make good the deficiencies of parliamentary funds;" and afterwards ordered an eſtimate to be laid before them of what ſums were wanting to ſatisfy and diſcharge all the principal and intereſt due on the ſeveral funds; and the computation being made, the whole amounted to five millions one hundred and ſixty thouſand four hundred pounds. In order to diſcharge this immenſe arrear, the commons continued divers duties ariſing not only by the cuſtoms, but by continued and additional impoſitions; paper and parchments, births and marriages, windows, the ſubſidies of tonnage and poundage, after the day on which they would otherwiſe have expired, to the 1ſt day of Auguſt 1706; and appointed all the monies which ſhould ariſe, and be brought into the Exchequer from any of theſe taxes or duties thus continued, to be the general fund for making good all the deficient ones, by the ſatisfaction and payment of the principal and intereſt due thereupon. And that all occaſion of complaint might be removed, and equal proviſion made for all, the parliament directed, that all monies ariſing from the duties, appropriated for the general fund, ſhould be diſtributed and applied to pay principal and intereſt upon every one of the deficient funds, in proportion to the ſum of which they were deficient; and that all the money which ſhould be in ſuch a due proportion diſtributed, ſhould be paid out to all who were intitled to receive the ſame, in ſuch courſe and order, as if the ſame were monies really ariſing by the reſpective deficient funds, and that without being diverted, miſapplied, or poſtponed. Beſides, to remove all doubts about the ſecurity intended to be given, in caſe, on the 1ſt of Auguſt 1706, or within three months then next enſuing, the whole produce of the ſeveral funds and revenues appropriated for a general fund, together with other grants then in being, ſhould not be ſufficient to diſcharge the ſum of 5,160,400 l. intended to be diſcharged, that then what was deficient, ſhould be made good out of ſuch aids or revenues, as ſhould be granted in the next ſeſſion of parliament. Thus in one ſeſſion the parliament not only raiſed a ſupply of above five millions for the ſervice of the next year, but alſo provided a ſufficient ſecurity for a debt of five millions more. Nor was this all,

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for the parliament likewiſe took into conſideration, by what means they might ſupport the credit of the bank of England, which was now ready to ſink. 1696.

To this end, it was agreed to engraft upon the capital ſtock of the bank 800,000l. more by new ſubſcriptions, at eight per cent. intereſt, to be paid by tallies and bank notes. Accordingly, a million was ſubſcribed and paid in that manner g.

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g The proportion was four-fifths of the ſubſcriptions in tallies, and one fifth in bank notes, and an intereſt of eight per cent. was allowed, as well for ſuch tallies, that ſhould be brought in to enlarge their ſtock by new ſubſcriptions, as for thoſe tallies which the company was then poſſeſſed of, provided they did not exceed the value of thoſe bank notes, which ſhould be paid in upon this engraftment on their ſtock; and for ſecuring the payment of this intereſt of eight per cent. the additional duty on ſalt was afterwards granted and appropriated. The time of the continuance of the bank of England they thought fit to extend to the year 1710, and reſolved likewiſe, "That "before the day were fixed for "the beginning the new ſub- "ſcriptions, the old ſtock be "made one hundred per cent. "and that what ſhould exceed "that value, ſhould be divided "among the old members. "That all the intereſt due on "thoſe tallies, which ſhould be "ſubſcribed into the bank ſtock, "at the time appointed for ſub- "ſcription, to the end of the "laſt preceding quarter on each "tally, be allowed as principal. "That liberty be given by par- "liament to enlarge the num- "ber of bank bills, to the value "of the ſum, which ſhould be "ſo ſubſcribed, over and above "the 1,200,000l. provided they "be obliged to anſwer ſuch bills "at demand; and in default "thereof, to be anſwered by "the Exchequer out of the firſt "money due to them. That "no other bank be erected, "permitted, or allowed by act "of parliament within this "kingdom, during the continu- "ance of the bank of England. "That on ſuch new ſettlement, "the bank of England be ex- "empted from all manner of "parliamentary taxes. That "no act of the corporation "ſhould forfeit the particular "intereſts of any perſon con- "cerned therein. That pro- "viſion be made for the effec- "tual preventing the officers "of the Exchequer, and all "other officers and receivers of "the revenue, from diverting, "delaying, or obſtructing the "courſe of payments to the "bank. That care be taken "to prevent the altering, coun- "terfeiting, or forging any "bank bills or notes; as like- "wiſe againſt the defacing, raſ- "ing, or altering any indorſe- "ment upon any ſuch bill or "note. That the eſtate and in- "tereſt of each member in the "ſtock of the corporation be "made a perſonal eſtate. And "laſtly, that no contract or a- "greement made for any bank

"ſtock

1696. This expedient came from Mr. Mountague, and though many perſons who were intereſted in it, could not preſently apprehend the reaſonableneſs of it, yet the advantages which they afterwards received, fully convinced them, that no other way could have been found to reſtore their loſt credit. For, the value of two hundred thouſand pounds in bank notes being ſunk by the new ſubſcriptions, the reſt, as it was reaſonable to believe they would, began preſently to riſe in worth; and ſo likewiſe did the tallies, after ſo many as amounted to eight hundred thouſandpounds were paid in to enlarge the bank. Upon this the credit of the bank recovered immediately, till in a few weeks their notes, which bore no intereſt, were equal with money, and their bills that bore intereſt, better than money. And by this means the face of affairs was quickly much changed for the better; credit began to revive, and money to circulate on moderate terms; foreign exchange was leſs to our diſadvantage, and ſoon after to an equality; and whatever hardſhips the people had undergone by reaſon of the war, and the recoining of ſilver money, which could not but occaſion many complaints; yet the greateſt part attributed this to the neceſſity of affairs, and began to hope, both from the proſpect of a peace, and the wiſdom of thoſe at the helm, that they ſhould enjoy more favourable times.

Difficulties by the ſcarcity of money removed.

Another evil of no leſs difficulty or importance than the loſs of credit, and which was one of the cauſes of that loſs, remained ſtill to be removed, the great ſcarcity of money. The parliament, to prevent diſappointments by ſettling funds, which might be deficient, came to a reſolution, "That the "ſupplies for the ſervice of the year 1697 ſhould be raiſed "within the year." But how could above five millions be raiſed within the year, while the ſilver money was called in and recoining; and there was not current coin enough in the nation to anſwer the occaſions of trade, and ſcarcely the conveniencies and neceſſities of life? This vote of parliament ſeeming impracticable, the enemies of the government made themſelves merry with it; and many, even of the king's beſt friends, imagined, that the parliament by this rather expreſſed their zeal and willingneſs, than their ability to ſupport the ſtate, and maintain the preſent ſettlement. But the parliament made money without bullion, and diſtributed great quantity of coin without the help of the Mint. This

"ſtock to be bought or ſold, "be valid in law or equity, un- "leſs the ſaid contract be actu- "ally regiſtered in the books of "the bank within ſeven days, "and actually transferred with- "in fourteen days next after the "making ſuch contract."

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was done by authorizing the lords of the treaſury to iſſue out bills from the Exchequer at ſeveral times, to the value of above two millions; which bills were firſt appointed to be brought in and ſunk upon the poll-tax. But before the ſeſſion ended, the parliament being convinced by the firſt collection of that duty, that it would prove very deficient, they appointed the Exchequer bills to be brought in on any other of the king's revenues, excepting the land-tax; and allowed an intereſt of ſeven pounds twelve ſhillings a year upon the ſecond iſſuing the bills of the Exchequer; whereas at firſt they bore no intereſt. By this the parliament laid a good foundation for paper-money to ſupply the place of our ſilver coin; for ſo many payments were at this time to be made into the Exchequer, that when the people had aſſurance given them, that the Exchequer notes ſhould be received back again in the payment of the king's taxes, they were very well ſatisfied to take them, at firſt indeed at a ſmall diſcount, but not long after at an equality. A great number of theſe notes were only for five or ten pounds, which anſwered the neceſſities of commerce among the meaner people for the common conveniencies of life; and that thoſe who had advanced money in loans on any part of the king's revenue, might not be obliged to receive it back in notes, that were under the value of money, to ſtrengthen the reputation of theſe bills, the parliament authorized the lords of the treaſury to contract with any corporation or numbers of private men, and to allow them a competent premium, provided they obliged themſelves to exchange thoſe notes for ready money, when tendered to them for that purpoſe: Which the lords of the treaſury did accordingly. The credit of the Exchequer notes being thus ſecured, they daily roſe nearer to par, till at laſt they exceeded the value of money; and whereas the truſtees, with whom the government had contracted to exchange them, were at firſt allowed ten per cent. as a premium, they were afterwards contented to do it for four. Theſe bills, which the people were ſatisfied to receive, becauſe they knew the Exchequer would receive them again as ſo much ready money, ſo well ſupplied the want of money till new coin was iſſued from the Mint, that trade and commerce were maintained, and mutual payments made ſo as to anſwer the neceſſities of the government and the people. This project was likewiſe owing to Mr. Mountague, as well as that of recoining the money, which thoſe very men who envied moſt his ſucceſs in the houſe of commons, and growing power

1696.

1696. at court, were afterwards contented to call a fortunate temerity.

The civil liſt ſettled.

Whilſt the commons were employed in ſettling the funds for the ſupplies and arrears, they received a meſſage from the king, importing, "That his majeſty finding himſelf under "great difficulties for want of money to ſupply the occaſions "of the civil liſt, he had thought it neceſſary to remind the "houſe of that part of his ſpeech, which related to that "head, deſiring, that ſpeedy care might be taken to make "effectual proviſion for it." Upon this it was reſolved, that a ſupply of 515,000l. be granted for the ſupport of the civil liſt; to be raiſed by a duty of ſix pence per buſhel upon malt for three years and a quarter [h].

Fenwick's affair. Pr. H. C. III. 31. &c. Burnet. Proceedings againſt ſir J. Fenwick.

The great buſineſs of this ſeſſion, which held longeſt in both houſes, was a bill relating to ſir John Fenwick, who had been concerned in the late aſſaſſination and invaſion plot. This affair was of ſuch a nature, that it deſerves to be related in a particular manner. Fenwick endeavouring to fly over into France under the borrowed name of Thomas Ward, was ſeized at New Romney in Kent with Robert Webber, an attorney, and from thence brought up to London, and on the 11th of June 1696, committed priſoner to the Tower, and afterwards to Newgate. As ſoon as he was apprehended, he wrote the following letter, with a black lead pencil, to his lady, but directed to Mrs. Farrar, her woman at the lady Carliſle's.

"What I feared is at laſt happened. Had I come alone, "I had done it; but the other was betrayed from London. "It is God's will; ſo we muſt ſubmit. I know nothing "can ſave my life, but my lord Carliſle's going over to him "[king William] backed by the reſt of the family of the

[h] Becauſe the impoſitions already laid did not fully anſwer the ſums voted, the commons reſolved, that towards the ſupply granted for carrying on the war, and for the ſupport of the civil liſt, over and above the duties already payable, a further duty be laid upon all cyder, perry, liquors called ſweets, mum, wine, and upon all goods made of or mixed with wool, ſilk, or hair. And that, for making good the deficiency of the proviſion for payment of the intereſt of the tranſport-debt for the reducing of Ireland, a duty of four pounds per annum be laid upon all hawkers and pedlars for one year; and that every hawker and pedlar, travelling with an horſe, aſs, or mule, ſhould pay four pounds more per annum for each horſe, aſs, or mule he ſhould ſo travel with.

"Howards

" Howards to beg it; and offering, that I will live abroad 1696.
" all his time, where I cannot hurt him; and that I will
" never draw ſword againſt him. I muſt leave it to you what
" elſe to ſay. All friends muſt be made; my lord Devon-
" ſhire may perhaps by my lady; my lord Godolphin and
" my lord Pembroke by my lady Montgomery; Mr. Nelſon
" by the archbiſhop of Canterbury; my lord Arran might
" engage his brother Selkirk to uſe his intereſt with Keppel.
" I believe, if my lord Carliſle would go, it were beſt; be-
" fore my trial; or elſe they will cut me ſhort for want of
" time. If he can prevail with him for a pardon, he will
" procure it as well before my trial as after; at leaſt, he may
" prevail for a reprieve till ſome can come over to him. My
" lord alſo will have an opportunity to engage Bentinck, [the
" earl of Portland] and get my lord of Eſſex to join with
" him. I cannot think what elſe to ſay, but the great care
" muſt be the jury. If two or three could be got, that
" would ſtarve the reſt, that or nothing can ſave me. Money,
" I know, would do it; but alas! that is not to be had,
" nor ſhall I get enough for counſel. I beg of you not to
" think of being ſhut up with me: I know it will kill you;
" and beſides, I have no ſuch friend as you to take care of
" my buſineſs, though it would be the comfort of my life,
" the little time it laſts, to have you with me. And I have
" this only comfort now left, that my death will make you
" eaſy. My deareſt life, grieve not for me, but reſign me
" to God's will. You will hear, as ſoon as they bring me
" to town, where they put me, and then I would have a
" ſervant or ſomebody with me. I am interrupted, ſo I can
" ſay no more now. Engage ſir John Lowther, the new
" lord, who has more intereſt than any body. Let my lord
" Scarſdale engage Jermaine to engage Overkirk for me.
" Speak to my lord Arlington. If my trial could be put off
" till the king comes back, there would be more opportunity
" to ſollicit him [1]." This letter being delivered to Mr. Webber, the companion of ſir John Fenwick's flight, was intercepted by the mayor of Romney, and brought to the

[1] In this letter ſir John Fenwick pretends to have a very great affection and tenderneſs for his lady, aunt to the earl of Carliſle, mentioned in this letter; but it may well be ſuſpected, that his diſtreſs, and the need of her relations aſſiſtance to get him out of it, if poſſible, had that effect on his paſſion, which was diverted not long before by an amour with Mrs. Laſſels an actreſs, who appeared in mourning, as if ſhe had been his relict after his death.

1696. lords juſtices. Sir John, who was ignorant of the miſcarriage at the firſt examination before their excellencies, denied every thing which he was charged with. But the lords juſtices producing his letter, and telling him, "he was not of the ſame mind, when he wrote it," ſir John was confounded, and made no reply, being utterly ſilenced by ſuch a confeſſion of his guilt, atteſted under his own hand.

Fenwick's deſign of getting a jury, or making friends to the king for a pardon, being found impracticable, there was another expedient ſuggeſted by the earl of Peterborough, who, though he had been a great inſtrument in the revolution, yet, to gratify his private reſentment, adviſed ſir John to ſet up a counter-plot, by impeaching ſeveral of the king's beſt friends, as guilty of conſpiring againſt him. Accordingly ſir John, in his private treaty with the duke of Devonſhire, deſired an aſſurance of life, upon his promiſe to tell all he knew. But the king refuſed that, and would have it left to himſelf to judge of the truth and the importance of the diſcoveries which he ſhould make. So reſolving to caſt himſelf upon the king's mercy, he ſent him a paper, in which, after a bare account of the conſultations among the Jacobites (in which he took care to charge none of his own party) he ſaid, that king James and thoſe who were employed by him, had aſſured him, that the duke of Shrewſbury, the earl of Marlborough, the lord Godophin, and admiral Ruſſel were reconciled to him, and were now in his intereſts, and acting for him: That the earl of Bath was to betray Plymouth into the hands of the French king, and that commiſſary Crawford had ſent over to France a liſt of the forces in England. This was a diſcovery that could ſignify nothing but to give the king a jealouſy of thoſe perſons; for he did not offer the leaſt ſhadow or circumſtance, either of proof or of preſumption to ſupport this accuſation. The king, not being ſatisfied with this, ſent an order for bringing him to a trial, unleſs he made fuller diſcoveries. He deſired to be further examined by the lords juſtices, to whom he, being upon oath, told ſome more particulars; but he took care to name none of his own ſide except thoſe againſt whom evidence was already brought, or who were ſafe and beyond ſea. Some few others he named, who were in matters of leſs conſequence, that did not amount to high-treaſon. He owned a thread of negotiations, which had paſſed between them and king James, or the court of France. He ſaid, that the earl of Ayleſbury had gone over to France, and had been admitted to a private audience of the French king, in which he had propoſed the ſending over

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an army of thirty thouſand men, and had undertaken, that a great body of gentlemen and horſes ſhould be brought to join them. It appeared by his diſcoveries, that the Jacobites in England were much divided; ſome of whom were called Compounders, and others Noncompounders. The Compounders deſired ſecurities from king James for the preſervation of the religion and liberties of England; whereas the others were for truſting him upon diſcretion, without aſking any terms, putting all in his power, and relying intirely on his honour and generoſity. Theſe ſeemed indeed to act more ſuitably to the great principle upon which they all inſiſted, that kings have their power from God, and are accountable only to him for the exerciſe of it. Dr. Lloyd, the deprived biſhop of Norwich, was the only eminent clergyman who went into this ſcheme; and therefore all that party had upon Sancroft's death, recommended him to king James to have his nomination for Canterbury. Fenwick put all this in writing, upon aſſurance, that he ſhould not be forced to witneſs any part of it. When that was ſent to the king, all appearing to be ſo trifling, and no other proof being offered for any part of it, except his own word, which he had ſtipulated, ſhould not be made uſe of, ſent an order to bring him to his trial. But as the king was ſlow in ſending this order, ſo the duke of Devonſhire, who had been in the ſecret management of the matter, was for ſome time in the country. The lords juſtices delayed the matter till he came to town; and then the king's coming was ſo near, that it was reſpited till he arrived. By theſe delays ſir John gained his main deſign, which was to practiſe upon the witneſſes. His lady began with captain Porter, who was offered, that if he would go beyond ſea, he ſhould have three hundred guineas in hand, more to be remitted to him upon his firſt landing in France, with an aſſurance of king James's pardon, and likewiſe an annuity of three hundred pounds a year, of which Fenwick was to pay one hundred. Captain Porter hearkened ſo far to the propoſition, that he drew thoſe who were in treaty with him, together with the lady herſelf, who carried the ſum which he was to receive, to a meeting, where he had provided witneſſes, who ſhould overhear all that paſſed, and ſhould, upon a ſignal, come in, and ſeize them with the money; which was done, and a proſecution upon it was ordered. The practice was fully proved, and the perſons concerned in it were cenſured and puniſhed. So captain Porter was no more to be dealt with. Mr. Cardell Goodman, who had been an actor, was the other witneſs. Firſt, 1696.

1696. they gathered matter to defame him, in which his courſe of life furniſhed them very copiouſly. But they truſted not to this method, and betook themſelves to another, in which they prevailed more effectually. They perſuaded him to go out of England; and by this means, when the laſt orders were given for Fenwick's trial, there were not two witneſſes againſt him; ſo that by the courſe of law he muſt have been acquitted. The whole was upon this kept intire for the ſeſſion of parliament. Admiral Ruſſel therefore, on the 6th of November, acquainted the houſe of commons, that his majeſty had given leave to lay before them the ſeveral papers which had been given in by ſir John Fenwick, in the nature of informations againſt himſelf and ſeveral other perſons of quality; and he deſired, that thoſe papers might be read, that ſo he might have an opportunity to juſtify himſelf, or if he did not, that he might fall under the cenſure of the houſe.

The papers being read, Fenwick was immediately ordered to be brought before the houſe; and being interrogated by the ſpeaker concerning his inclinations to diſcover the deſigns and practices of the enemies of the government, he anſwered, that he did not know but what he ſhould ſay might hurt himſelf; and therefore deſired, that he might have ſome ſecurity, that his confeſſion ſhould not riſe up againſt him in a court of judicature; adding, that he would not offend either the king or the houſe. The ſpeaker ordered him to withdraw; after which the houſe debated, whether they ſhould acquaint him with their having his papers of informations. But they did not think fit to do it, becauſe they thought theſe papers were a contrivance, and made by others for him; that the beſt way to get the truth out of him, would be for him to tell his own ſtory; and that, if the houſe ſhould let him know they had thoſe papers, he would only refer to thoſe papers, as he had lately done, when he was examined by the king and council. It was alſo debated, whether there ſhould be any threatening words uſed to him; but they thought that not proper, ſince his confeſſion ought to be free and natural. It was alſo mentioned, whether they ſhould take notice of his majeſty's conſent. But that was not thought fit neither, as being derogatory to the privileges of the houſe. Sir John being called in again, the ſpeaker acquainted him, that the houſe having conſidered his excuſing his making a diſcovery, they thought he had no reaſon to apprehend, that the king ſhould be angry with him for making any diſcovery to the houſe; this being the proper place to enquire of all things

things that relate to the king and government, eſpecially his majeſty's ſafety. That as to what he ſtood upon, that he ſhould not be prejudiced by what he ſhould diſcover there, they took notice he had already, notwithſtanding what he ſaid, diſcovered it to the king and council: That he had no reaſon at all to apprehend, that he ſhould ſuffer any thing, if he made a full and clear diſcovery: That no man, who dealt candidly with this houſe ever did. That it was in his power to deſerve the favour of the houſe: That it was required by the houſe, that he ſhould make a diſcovery, and that this was the laſt time he was like to be aſked to do it. Sir John inſiſted upon his former excuſes, namely, his fear of the king's diſpleaſure, and of accuſing himſelf; which being once more over-ruled, he then demanded time to recollect himſelf, urging the cloſe reſtraint which he had been under in priſon, and the badneſs of his memory. To this the ſpeaker made anſwer, that the houſe thought it a matter of great moment to the king and whole nation, that thoſe, who were their enemies, ſhould be diſcovered as ſoon as poſſible; and this being within his knowledge, the houſe did not think it fit to give him time; but that, if they found by his diſcovery, that he dealt candidly with them, and had told them as much as he knew upon his memory, they would conſider of his requeſt of giving him time for the reſt. Then ſir John addreſſed himſelf in theſe words to the houſe: "When I firſt ſpoke to the "privy-counſellor, I propoſed to him, whether I might have "a pardon without being an evidence againſt any man; and "in that caſe, I would ſerve the king ſo as to tell him all I "knew. It was upon honour, that I did it to him, and he "took the words in writing from me, and ſent them to the "king in Flanders. The king's anſwer was, that he made "no objection as to my being an evidence, nor his giving "me a pardon; but that I could expect no pardon till he "knew what I could ſay. Upon that I was encouraged to "do what I did for his majeſty's ſervice; and I have found "in all my buſineſs ſince, whatever I do or ſay, the anſwer "is, It is not ſatisfactory, and I am where I was. When "this was done, there was a meſſage ſent to me from the "lords juſtices, that this was not ſatisfactory, and I muſt tell "all I know. Now, when a man hath told all he knows, "and this muſt be ſtill the anſwer, it is very hard. The "king's anſwer was, that I ſhould more fully make good "what I had ſaid. I did afterwards explain what I inform-"ed that honourable perſon, and ſtill it was not ſatisfactory. "I hope I ſhall not find this from this honourable houſe. I

1696.

1696. "am upon my life, and I hope this houſe will conſider of it. "I know this houſe is good ſecurity, if I had it, but till I "have it, I am under theſe circumſtances, and I may at laſt "be told all is not ſatisfactory. I deſire the houſe will pleaſe "to conſider it." The ſpeaker having preſſed ſir John to make a diſcovery, and finding by all his anſwers, that he did nothing but prevaricate with them, a motion was made for leave to bring in a bill to attaint him of high-treaſon; which after a debate was carried in the affirmative, by an hundred and ſeventy-nine voices againſt ſixty-one. Three days after the bill was preſented to the houſe, and after a long debate of ſeveral hours, the queſtion was put for the ſecond reading, which was carried in the affirmative by a majority of one hundred and ninety-ſix votes againſt one hundred and four. The ſame day the houſe ordered that ſir John Fenwick ſhould have a copy of the bill, and of the order for reading it eight days after; and that Mr. Secretary Vernon ſhould then produce the letter written in Kent by ſir John Fenwick, of which he had informed the houſe. The next day the ſpeaker having acquainted the houſe, that he had received a letter from ſir John, wherein he made it his humble petition, "That he "might have the aſſiſtance of his counſel, ſir Francis Pemberton, ſir Thomas Powis, and ſir Bartholomew Shower, "and of his ſollicitor, Chriſtopher Dighton," the commons readily allowed ſir John Fenwick the counſel he deſired, and after ſome debate, the ſollicitor likewiſe, though it was intimated, that he was a very great Jacobite, and was ſuſpected to have been concerned in the eſcape of Goodman. The day before the attainder was to be read a ſecond time, ſir John Fenwick preſented another petition, wherein he prayed to be heard by his counſel againſt the paſſing of the bill. Whereupon the houſe ordered, that he ſhould be allowed two counſel at the bar of the houſe to make his defence. The ſame night William Fuller, the impoſtor, ſent a letter to the ſpeaker of the houſe of commons, importing, "That no perſon had "been more actually engaged with ſir John Fenwick than "himſelf, it having been his fortune ſeveral times to bring "letters to him from the late king and queen at St. Germain's, and to carry his anſwers. That he had alſo been "with ſir John at the private conſults of the late king's adherents; ſo that, if he might be ſerviceable in detecting his "treaſons, he ſhould be very ready to ſerve the Government, "and demonſtrate his integrity." The ſpeaker acquainted the houſe the next day with the receipt of this letter; but Fuller's character was ſo well known to the houſe, that,

upon

upon a queſtion for reading of it, it paſſed by a great majority in the negative. 1696.

This done, ſir John Fenwick was ordered to be brought to the bar; but it being a proceeding of that nature, that none of the ancienteſt members could readily give precedent of, it was neceſſary to ſettle ſome preliminaries, and the firſt queſtion was, Whether the mace ought to lie upon the table when ſir John Fenwick was in the houſe? or, Whether the ſerjeant ought not to ſtand by him with it at the bar? Mr. Smith and the chancellor of the Exchequer ſaid, that ſir John being a priſoner, the mace ought to be at the bar; and then no member could ſpeak, but the queſtion muſt be aſked by the chair. And on the other hand Mr. Boyle, Mr. John Howe, Sir Chriſtopher Muſgrave, Mr. Brotherton, colonel Granville, Sir William Williams, and ſir Thomas Dyke maintained, that the mace ought to be upon the table, becauſe the bill was to be read; that if the mace was not upon the table, their mouths were muzzled: That they were to act in their higheſt capacity as judges, and therefore ought not to paſs a vote, that the judges ſhould not aſk queſtions. After this debate it was carried, that ſir John Fenwick ſhould ſtand with the mace at the bar; and then a queſtion aroſe about the reading of the bill. Some members ſaid, that it could not be read, while the counſel was preſent: Others ſaid, that it was not neceſſary to read it, while ſir John Fenwick was preſent, he having had a copy of it. But at laſt it was thought reaſonable, it being in the nature of a charge upon him, that it ſhould be read to him, when preſent with his counſel. It was alledged, that this was done in the caſe of indictments, when the copies were delivered to the priſoners; and therefore it ſhould be read only as a matter of form, as a charge, to which he was to anſwer; but that it could not be reckoned a ſecond reading, according to the rules of the houſe, the mace being off the table, and ſo it ſhould be read again, when the counſel and the priſoner were withdrawn. Then the ſerjeant took the mace, and brought ſir John Fenwick to the bar; and counſel being admitted for him and for the bill, namely, ſir Thomas Powis and ſir Bartholomew Shower, for the priſoner, Mr. Serjeant Gould and Mr. Serjeant Lovell, recorder of London, for the bill, the ſpeaker opened the matter; and addreſſing himſelf to ſir John Fenwick, laid before him the heinouſneſs of the crime, "wherewith he ſtood "charged, and how deſtructive it would have been, if it "had ſucceeded, to the very being of this kingdom. And "therefore, that he might not go unpuniſhed, if he was "guilty,

1696. " guilty, they had ordered a bill into the houſe to attaint " him for high-treaſon, which had been once read, and would " now be read to him at the bar; and then he would hear " the evidence againſt him, and have liberty to make his " defence. That, though he could not claim any right " thereto, the houſe, to ſhew how ready they were to fa- " vour him, in giving him any reaſonable help, did allow " him counſel to aſſiſt him in it. That he was likewiſe to " acquaint thoſe who were his counſel, that the houſe did " reckon their own prudence would ſo guide them, as not " to give any juſt offence to this houſe. That they ought " not to queſtion the power of parliaments to paſs bills of " attainder when they judge it requiſite, of which the com- " mons are more proper judges than any private perſon; and " therefore they did not allow him to debate that point." This ſpeech being ended, the clerk of the houſe of commons read the bill, importing, " That whereas ſir John Fenwick " was, upon the oaths of George Porter, and Cardell Good- " man, indicted of high-treaſon, in conſpiring to aſſaſſinate " his majeſty's ſacred perſon, and encouraging the French " king to invade this kingdom; and having obtained his " majeſty's favour to have his trial delayed from time to time, " upon his repeated promiſes of making an ingenuous and " full confeſſion of his knowledge of any deſign or conſpiracy " againſt his majeſty's perſon or government, and of the per- " ſons therein concerned; he had ſo far abuſed his majeſty's " great clemency and indulgence, that inſtead of making " ſuch confeſſion, he had contrived falſe and ſcandalous pa- " pers as his informations, reflecting on the fidelity of ſeveral " noble perſons, divers members of the houſe of commons, " and others, only by hearſay, and contriving thereby to un- " dermine the government, and create jealouſies between the " king and his ſubjects, and to ſtifle the real conſpiracy. And " that whereas Cardell Goodman, one of the witneſſes a- " gainſt the ſaid ſir John Fenwick, to prove the ſaid treaſon, " lately and ſince the ſeveral times appointed for the trial " of the ſaid ſir John Fenwick, at one of which times the " ſaid ſir John Fenwick had been accordingly tried, had it " not been for the expectation of the ſaid diſcoveries ſo " often promiſed by him, was withdrawn, ſo that the ſaid " Cardell Goodman could not be had, to give evidence upon " any trial: Be it therefore enacted by the king's moſt excel- " lent majeſty, by and with the advice and conſent of the " lords ſpiritual and temporal and commons in this preſent " parliament aſſembled, and by the authority of the ſame,

" that

" that the ſaid ſir John Fenwick be, and is hereby convicted 1696.
" and attainted of high-treaſon, and ſhall ſuffer the pains
" of death, and incur all forfeitures, as a perſon attainted
" of high-treaſon."

The bill being read, and the king's counſel, the ſerjeants Gould and Lovell, having, according to the ſpeaker's directions, opened the evidence, which they had for proving the charge, they were anſwered by the counſel for the priſoner, who alledged, " That, if the others would only call
" in evidence to prove the ſuggeſtions of the bill, they were
" ready to anſwer; but if they called any evidence to prove
" ſir John Fenwick guilty of the conſpiracy by living wit-
" neſſes, they took upon them to ſay they were not ready
" for that, ſince they did not know, whether they ſhould be
" allowed the liberty of producing witneſſes." Being ordered to withdraw, the houſe debated the ſame a long time, not without many of the members making large excurſions from the matter in diſpute; which made the lord Cutts riſe and ſay, " That he thought it a misfortune, that a matter of
" this nature had held them ſo long; and he conceived it a
" thing to be wiſhed, that every gentleman, who ſpoke upon
" this occaſion, would apply himſelf more cloſely to ſubſtance,
" and leſs to forms. That he meant to forms, conſidered
" merely as forms, for it ought to be true reaſon, that was
" convincing to them, and they ought not to tie themſelves
" up to any forms upon this occaſion, but ſuch as were
" grounded upon reaſon. That really he had not heard
" any thing, that fell from any gentleman, that ſhewed his
" doubt of the nature and aggravating circumſtances of the
" crime of the priſoner; but that it had conſiſted with the
" great candor and juſtice of this houſe, to ſhew their favour
" to the priſoner in allowing him counſel. That, when
" the counſel ſaid they were unprepared, if they meant
" they would prepare themſelves for more grounds of
" difference and chicanery, he would not give them further
" time. That he could not perceive there was any reality
" of argument in it, and that there was in reaſoning, as in
" religion, ſometimes a form without power." After many other ſpeeches, the ſpeaker read theſe two queſtions: Firſt, " That the counſel for ſir John Fenwick be confined to
" make their proof to what was ſuggeſted in the bill:" And ſecondly, " That ſir John Fenwick be allowed further time." But neither of theſe queſtions being allowed to be put, he then propoſed, " That ſir John Fenwick be allowed further time
" to produce witneſſes in his defence, againſt the charge of
" high-

1696. "high-treaſon; and that he give in a liſt of his witneſſes "to the ſpeaker:" Which queſtion was put, and paſſed in the affirmative. Afterwards the ſpeaker put another queſtion, "That the counſel, in managing the evidence againſt ſir "John Fenwick, be allowed to produce evidence touching "the allegations in the bill, and the treaſons, for which he "ſtood indicted: Which being likewiſe carried in the affirmative, and ſir John Fenwick acquainted from the chair, that the houſe allowed him three days longer to make his defence, he being withdrawn, the commons reſolved, that the bill for attainting him of high-treaſon be read a ſecond time, on Monday the 16th of November.

Accordingly, on that day, the houſe proceeded further on this matter. The king's counſel produced their evidence, which was firſt captain Porter, who gave an ample relation of what he knew concerning ſir John's guilt; and who, notwithſtanding the counſel for the priſoner ſtrenuouſly oppoſed it, was further examined about his being tampered with by Clancey, in order to take off his teſtimony in relation to the conſpiracy. Then the king's counſel produced the records of Clancey's conviction, and proceeded to Goodman's examination, taken under the hand of ſecretary Vernon, which they deſired might be read. This was ſtrongly objected to by the priſoner's counſel, as a thing not to be allowed, and impracticable, the law requiring perſons to appear, and give their evidence viva voce. Upon this, the houſe entered into a warm debate, but at length it was carried by two hundred and eighteen voices againſt a hundred and forty-five, that Goodman's information ſhould be read; and that, afterwards, ſome of the grand jury ſhould give an account upon what evidence they found the bill of indictment, that was brought in againſt ſir John Fenwick.

The next evidence that was produced, was the record of the conviction of Mr. Cooke; and, when the counſel on both ſides had ſpoken to it, and the houſe debated the ſame, it was carried by a hundred and eighty-one voices againſt a hundred and ten, that the ſaid record ſhould be read, and the king's counſel allowed to examine witneſſes, as to what was ſworn by Goodman at Cooke's trial. This being over, as alſo ſome queſtions concerning ſir John Fenwick's letter, it was reſolved, That the counſel for the priſoner might, if they had witneſſes to examine on his behalf, do it that night; but that, as to their obſervations, the houſe would give them time till next morning. They, having nothing but a record to produce, accepted of this; and, on the 27th of November, made

made as good a defence, as their client's cauſe would admit; but at length being to withdraw, and the priſoner ſtill declining to deal more clearly and candidly, in reſpect to his accuſation of ſeveral perſons of quality; it was reſolved, that Mr. Secretary Vernon ſhould give in his evidence, in reference to ſir John's getting his trial delayed by offers of informations, and that in the preſence of ſir John and the counſel on both ſides. 1696.

Here the counſel having nothing to ſay, they were diſcharged from their farther attendance at that time, and, according to the order of the day, the bill being read a ſecond time, and afterwards opened by the ſpeaker, and no members riſing to ſpeak, he aſked, Whether he ſhould put the queſtion of commitment? This occaſioned a very long and warm debate about the extraordinary method of proceeding; the power and juſtice of parliaments compared with other inferior courts of judicature, with ſeveral precedents of former bills of attainder, and other arguments, that fell in; but upon the whole matter, towards eleven at night, it was carried by an hundred and eighty-two voices againſt an hundred and twenty-eight, that the bill ſhould be committed. On the 20th of the ſame month, the houſe reſolved itſelf into a committee of the whole houſe, and ſeveral words having been offered as amendments, importing ſir John's being guilty, they were at laſt agreed on to be added to the bill. It was alſo propoſed to the conſideration of the ſaid committee, whether the "lords ſpiritual" ſhould ſtand in the enacting part. But, upon looking into ſeveral acts of attainder, it appeared they were mentioned in all of them in the enacting part; and ſo they were left to ſtand in the bill by general conſent.

On the 25th of November, the bill was read the third time, and the debate ran as high as it had done five days before, about the commitment. Mr. Methuen, who ſtood up firſt, took Notice, "That the greateſt part of the former "debate had run upon two things; on the one ſide, the in- "conveniency of bills of attainder, or at leaſt the having "them ſo frequent; on the other ſide, that it is neceſſary to "have them ſometimes, that no perſons might think they "were out of reach, if they could evade the laws, that were "made to puniſh ordinary offenders. That he thought both "theſe points too general, and that this bill, as every other, "ought to have its fate upon the particular circumſtances of "the caſe before the houſe. That whoever gave his affir- "mative to this bill, ought to be convinced, that ſir John "Fenwick was guilty of high-treaſon; and alſo that there Methuen's ſpeech for the bill.

are

1696. "are extraordinary reaſons, why the nation did proſecute "him in ſo extraordinary a manner. And that he thought "neither of thoſe was ſufficient alone. That if, between the "indictment and trial, Goodman ſhould have died, and "there had been no other reaſon for attainting ſir John Fen- "wick but only the want of his evidence, he ſhould not "have thought it a ſufficient reaſon, though the houſe "ſhould have had an opportunity of being informed of this "particular evidence, and believed him guilty. That, if ſir "John Fenwick did not appear guilty, he did not think any "reaſon of ſtate could juſtify this bill, though ſir John had pre- "varicated, and behaved himſelf to the diſſatisfaction of every "body; and therefore he thought there muſt be both theſe. "That, the houſe having heard the evidence, he would not "repeat it, but rather come to thoſe things, that diſtin- "guiſhed ſir John Fenwick's caſe; only he muſt take notice, "that they had given ſir John liberty to make his defence, "and had fully heard him; which had altered the reaſon of "a great many precedents cited from the lord chief juſtice "Coke and other authors. That what diſtinguiſhed this "caſe was the great danger, which the nation was in from "this conſpiracy, which he found, by the general opinion of "all perſons, was not thought yet at an end; and that there "ſeemed likewiſe to be an opinion as general, that ſir John "Fenwick could have contributed to their ſafety by a diſ- "covery. That the next circumſtance was, that ſir John "Fenwick knowing the expectation the nation had from "him, that he could have contributed to their ſafety, had "made uſe of that to put off his trial, and at laſt had made "ſuch a paper, as tended to the creating of new dangers. "That, by this means, ſir John Fenwick, againſt whom "there were two witneſſes, when he was indicted, had de- "layed his trial, ſo that now there was but one; and there "was a violent preſumption, that this perſon was withdrawn "by the practices of ſir John Fenwick's friends. That there "was in his opinion as great a conſideration as any of theſe; "that the public reſentment of the nation for ſuch his be- "haviour was the only means, which ſir John's practice had "left the houſe to prevent the danger, that yet remained; "and it ſeemed neceſſary for their ſafety to come the next "beſt way to what he would have done for them by his diſ- "covery. That there had been great doubts raiſed againſt the "evidence, which had been given, not ſo much whether it "be ſuch evidence, as ought to incline the commons to be- lieve.

" lieve him guilty; but whether it be ſuch as they ſhould 1696.
" hear in the capacity they were in? And whether, after it
" was found ſuch as it was, that is to ſay, not ſuch as would
" convict him upon another trial, they might ſo far credit it,
" as that it ſhould influence them to give their vote for this
" bill of attainder? That it was ſaid, that the commons were
" trying of ſir John Fenwick, that they were judges and
" jury, and they were obliged to proceed according to the
" ſame rules, though not the method of Weſtminſter-Hall,
" ſecundum allegata & probata." But that the ſtate of the
" matter, as it appeared to him, was, that they were in their
" legiſlative power making a new law for the attainting of ſir
" John Fenwick, and for exempting his particular caſe from
" being tried in thoſe courts of Judicature, and, by thoſe
" rules, which they had appointed for the trial of other
" cauſes; and trying of it themſelves (if they would uſe that
" word, though improperly) in which caſe the methods diſ-
" fered from what the laws made by themſelves require in
" other caſes; for this was never to be a law for any other.
" That, this being the ſtate of the caſe, it quite put the com-
" mons out of the methods of trials, and all the laws,
" that are for limitting rules for evidence at trials in Weſt-
" minſter-Hall and other judicatures; for it muſt be agreed,
" that the ſame rule of evidence muſt be obſerved in another
" place, as well as Weſtminſter-Hall, that is, in impeach-
" ments; and that it had always been ſo taken. That the
" notion of two witneſſes being neceſſary had ſo much gained
" upon ſome members of the houſe, that they had ſaid, " That
" this was required by the law of nature, the univerſal law
" of nations, nay, by the eternal law of God." That, if
" it was ſo, there would be no doubt, but it would oblige
" the commons; but he thought, that the reaſon, why any
" man deſerves to be puniſhed, is, becauſe he is criminal,
" let his crime be made evident any way whatſoever; for
" whatſoever makes the truth evident, is, and is accounted
" in all laws to be evidence. That the rules for examining
" whether any perſon is guilty or not, and the evidence,
" that is allowed as ſufficient, is different in all nations.
" That the trials in England differ from thoſe of all other
" nations, not only that the offenders are tried by a jury,
" which is particular to this nation, but that the witneſſes
" are to be produced face to face before the perſons accuſed;
" and beſides they had made laws that there ſhould be two
" witneſſes in caſes of high-treaſon, wherein they were the
" envy of all other nations. That the evidence, which is to

" be

1696. "be given againſt the criminals, differs in the ſame nation, "when the offence differs. That there is a difference be- "tween the evidence, that will convict a man of felony, and "the evidence, that is to convict a man of treaſon; and "that the evidence to convict a man of the ſame crime has "been different in the ſame nation in different times. That "by the common law of England, that evidence was "ſufficient to convict a man of any crime, which was ſuffi- "cient to make the jury believe the perſon guilty. That "thus, before the ſtatute of Edward IV. a man might be "convicted of treaſon by one witneſs, though that ſtatute was "made upon great reaſons, and appears to be for the public "good by the general approbation it has received; but that "he did not think in their proceedings here they were bound "by it. That ſome members argued thus: "Shall we, "who are the ſupreme authority (as we are part of it) go up- "on leſs evidence to ſatisfy ourſelves of ſir John Fenwick's "guilt, than any other court? And ſhall we reſort to this "extraordinary way in this caſe?" To this he anſwered, "that, if it did ſhake the manner of trials below, he ſhould "be very unwilling to do it; but he did take it clearly, that "it could not make the leaſt alteration in the proceedings of "any court; but on the contrary, he thought there was no "ſtronger argument for their reſorting to this extraordinary "way, than that of the care and caution, with which their "law had provided for the defence of the innocent; for, "if they conſidered all thoſe laws, that had been made for "that purpoſe, it was plain it muſt have been in the view of "their anceſtors, that many criminals might by this means "eſcape. That their laws are made for ordinary trials, and for "thoſe things, that happen uſually; but that there is no go- "vernment in the world, where there is not reſort to extra- "ordinary power in caſes that require it. That the Eng- "liſh government indeed had this advantage, that they could "keep to rules, which others cannot. That in a very "wiſe government [that of Venice] all the ways of puniſh- "ing crimes of this nature are extraordinary. That per- "ſons are condemned there not only unheard, but before "they are legally accuſed; and that is thought neceſſary "there, which would not be endured here; and yet that go- "vernment has continued ſo many hundred years, and no en- "deavours have been made to alter it, though ſo many fa- "milies have ſuffered by it.

"That the next argument was from the precedent, which "the commons were about to make; and that they had been "told, "whatever the other precedents had been, what they

"did

" did now would be a precedent for them and their poſte- 1696.
" rity." To this he replied, that, if this precedent ſhould
" appear to poſterity to be a precedent of an innocent man,
" or a perſon, whoſe guilt was doubted of, or one, whoſe
" guilt did not plainly appear; and this bill ſhould be carried
" by a prevailing party, he did agree it was a very ill pre-
" cedent. But if the caſe be, that this precedent would ap-
" pear to poſterity, upon the truth of the thing, to be a pre-
" cedent made of a man moſt notoriouſly guilty; of a man,
" who had deſerved this extraordinary way of proceeding,
" and this general reſentment of the nation; and that nothing
" could have hindered this man from the common juſtice of
" the nation, but his having endeavoured to elude it in this
" matter; and if it appeared that the commons would not be
" put off ſo, but that their indignation made an example of
" this man, he ſhould not be ſorry it ſhould appear to poſte-
" rity; but he believed poſterity would (as he thought they
" ought) thank them for it. That, for his own particular,
" while he was innocent, he ſhould not think his life in
" danger to be judged by four hundred Engliſh gentlemen,
" and the peerage of England, with the royal aſſent. That,
" when he reflected, he could not be of opinion, that the
" government could have procured a parliament to have paſſed
" a bill of attainder againſt my lord Ruſſel, or Mr. Corniſh,
" or even Mr. Colledge; he did not think all the power of
" the government could have prevailed to have done that, al-
" though they could prevail to have them condemned by the
" forms of law. That here he ſaw, that a great many gen-
" tlemen had oppoſed every ſtep of this bill, for making an
" ill precedent, though theſe gentlemen did believe in their
" private conſciences, that ſir John Fenwick was guilty.
" That he could not ſee, that any perſon could be in danger
" by ſuch a bill;" and therefore the concluſion, which he
" made for himſelf was, " That he was convinced in his con-
" ſcience, that ſir John Fenwick was guilty of high-treaſon;
" and that there were reaſons ſo extraordinary to ſupport this
" bill of attainder, that he did not ſee how any perſon, who
" was ſo convinced, could refuſe to give his affirmative to
" this bill."

This ſpeech was anſwered by ſir Godfrey Copley, who, af-
ter a ſhort preamble, ſaid, " That it is the cuſtom and law of
" this nation to require two poſitive witneſſes to prove trea-
" ſon; and though he thought, without the utmoſt neceſſity, it
" was not prudent to deviate from that rule, yet he would not
" argue from thence, that the commons were tied up to it,

1656. "it being certain, that the legiſlative authority, which has "power to abrogate all laws now in being, cannot be tied up to "any rules of human preſcripiton; but there are the eternal "rules of equity and juſtice, and right reaſon and conſcience; "and theſe he thought are unalterable, and never to be "ſwerved from; and therefore he would take the liberty to "ſee how far agreeable their proceedings were to theſe rules. "That he looked upon it as a fundamental breach of theſe "rules for an accuſation to be given in againſt a man behind "his back by he knows not whom, or by any, with whom "he is not confronted and brought face to face. That he "was one of thoſe, who looked upon ſir John Fenwick to be "guilty, of which there was a proof by one witneſs, and to "this they had added an indictment, that was proved. But "that he thought that to be ſo far from giving ſtrength to the "evidence, that, in his opinion, the injuſtice, which at-"tended it, made the ſcales lighter than they were before. "For, if any bill or writing ſworn behind a man's back may "be uſed as a part of evidence, he did by parallel reaſon "argue, that the like may make up the whole at one time or "other; and then the information of every two profligate "knaves before a ſecretary of ſtate, or a juſtice of peace, "ſhould be ſufficient, without any living teſtimony, to make "a man run the hazard of his life. That he was not at all "convinced of the neceſſity of the proceeding; but as he "thought thoſe, who brought this matter to the houſe of "commons, wiſer than himſelf, ſo he would not examine "what reaſon they had to do it, though it was ſo little "agreeable to him, that he wiſhed it had not come thither. "That it was not to be ſuppoſed, that the government was in "hazard by ſuch a man as ſir John Fenwick, who was faſt "in Newgate, neither was it to be expected, that a man, "who had been ſix months in priſon, and nobody come to "him, might make ſuch a diſcovery, as might be worth their "while. "But, ſaid he, ſuppoſe you had a man of in-"vention and practice, what a ſpur do you put to it? May "not a man of parts, when he has no other way to ſave "himſelf; may not he form ſuch a plot, as, ſhould it gain "belief, might make the beſt ſubjects in England tremble?" "He added, that it was not for ſir John Fenwick's life, that "he argued, not thinking it of ſo great value to deſerve ſo "long and ſolemn a debate in this houſe, nor the conſide-"ration of ſo great an aſſembly after this manner; but that, "if this method of proceeding be warranted by an Engliſh "parliament, there is an end of the defence of any man "living,

" living, be he never ſo innocent. That he had heard it 1696.
" mentioned, on the other ſide, that king James attainted
" [in Ireland] a great number of perſons in a catalogue, in
" a lump. That he was not afraid of what arbitrary princes
" did, nor an Iriſh parliament; but he was afraid what
" ſhould be done here, and was concerned for the honour
" of their proceedings, that it might be a precedent to a
" future parliament in an ill reign, to do that, which he
" was ſatisfied the commons would not now do [b]."

After theſe, and many other ſpeeches, the queſtion was put for paſſing the bill; and, the houſe dividing upon it, one hundred and eighty-nine were for the bill, and one hundred and fifty-ſix againſt it. Being then carried in the affirmative, the bill was ſent up to the lords for their concurrence. The lords took a very extraordinary method to force their abſent members to come to town. They ſent meſſengers for them, to bring them up; which ſeemed to be a great breach on their dignity; for the privilege of making a proxy was an undoubted right belonging to that peerage: but thoſe, who intended to throw out the bill, reſolved to have a full houſe.

The bill met with great oppoſition; and the debates were the warmeſt, and laſted the longeſt, of any that had ever been.

The ſubſtance of the arguments in the houſe of lords, brought againſt this way of proceeding by bill of attainder, was, that the law was all men's ſecurity, as well as it ought to be their rule: If this was once broke through, no man was ſafe: men would be preſumed guilty, without legal proofs, and be run down, and deſtroyed by a torrent: two Reaſons againſt the bill.

[b] The reſt of the ſpeeches on this occaſion may be ſeen in the proceedings againſt ſir John Fenwick, printed at London 1698. The principal ſpeakers on both ſides were theſe:

For the bill.
Mr. Mountague,
Lord Coninſby,
Lord Cutts,
Sir William Strickland,
Sir Herbert Croſts,
Mr. Vernon,
Mr. Smith,
Mr. Cowper,
Sir Walter Younge, &c.

Againſt the bill.
Sir Charles Carteret,
Mr. Manley,
Sir Edward Seymour,
Lord Norreys,
Mr. Edward Harley,
Mr. Foley,
Mr. Harcourt,
Mr. Robert Harley,
Mr. Howe, &c.

1696. witneſſes ſeemed neceſſary, by an indiſputable law of juſtice, to prove a man guilty: The law of God given to Moſes, as well as the law of England, made this neceſſary: and beſides all former ones, the law, lately made for trials in caſes of treaſon, was ſuch a ſacred one, that it was to be hoped, that even a parliament would not make a breach upon it. A written depoſition was no evidence, becauſe the perſon accuſed could not have the benefit of croſs-interrogating the witneſs; by which much falſe ſwearing was often detected: Nor could the evidence, given in one trial, be brought againſt a man, who was not a party in that trial: the evidence, that was offered to a grand jury, was to be examined all over again, at the trial; till that was done, it was not evidence. It did not appear, that Fenwick himſelf was concerned in the practice upon Porter: what his lady did, could not be charged on him. No evidence was brought, that Goodman was practiſed on; ſo his withdrawing himſelf could not be charged on Fenwick. Some very black things were proved againſt Goodman, which would be ſtrong enough to ſet aſide his teſtimony, though he were preſent; and that proof, which had been brought in Cooke's trial, againſt Porter's evidence, was again made uſe of, to prove, that, as he was the ſingle witneſs, ſo he was a doubtful and ſuſpected one: nor was it proper, that a bill of this nature ſhould begin in the houſe of commons, which could not take examinations upon oath. Theſe were the arguments uſed by the lords, as well as the commons, againſt the bill.

Reaſons for it. Burnet.

On the other ſide, biſhop Burnet being convinced, that Fenwick was guilty, and that the method of proceeding by way of attainder, was not only lawful, but, in ſome caſes, neceſſary, and having, moreover, by his ſearch into parliamentary proceedings, on ſuch occaſions, when he wrote the Hiſtory of the Reformation, ſeen further into thoſe matters than otherwiſe he ſhould ever have done, he thought it incumbent upon him, when his opinion determined him to the ſeverer ſide, to open his reaſons in juſtification of his vote; which he did, to this effect:

The nature of government required, that the legiſlature ſhould be recurred to, in extraordinary caſes, for which effectual proviſion could not be made by fixed and ſtanding laws. Our common law grew up out of the proceedings of the courts of law: afterwards this, in caſes of treaſon, was thought too looſe; ſo the law, in this point, was limited, firſt, by the famous ſtatute in king Edward IIId's time; and then, by the ſtatute of king Edward IV's time, the two witneſſes

neſſes were to be brought face to face with the perſon accuſed; and the law, lately made, had brought the method of treaſon to a yet further certainty. Yet, in that, as well as in the ſtatute of Edward III. parliamentary proceedings were ſtill excepted. And, indeed, though no ſuch proviſion had been expreſly made in the acts themſelves, the nature of government puts always an exception in favour of the legiſlative authority. The legiſlature was, indeed, bound to obſerve juſtice and equity, as much, if not more, than the inferior courts; becauſe the ſupreme court ought to ſet an example to all others. But they might ſee cauſe to paſs over forms, as occaſion ſhould require. This was the more reaſonable among us, becauſe there was no nation in the world, beſides England, that had not recourſe to torture, when the evidence was probable, but defective. That was a mighty reſtraint, and ſtruck a terror into all people; and the freeſt government, both ancient and modern, thought they could not ſubſiſt without it. At preſent, the Venetians have their civil juriſdictions, and the Griſons have their high courts of juſtice, which act without the forms of law, by the abſolute truſt, that is repoſed in them; ſuch as the Romans repoſed in dictators, in the time of their liberty. England had neither torture, nor any unlimited magiſtrate in its conſtitution; and therefore, upon great emergencies, recourſe muſt be had to the ſupreme legiſlature. Forms are neceſſary in ſubordinate caſes; but there is no reaſon to tie up the ſupreme one by them. This method of attainder had been practiſed among us at all times. It is true, what was done in this way at one time, was often reverſed at another; but that was the effect of the violence of the times, and was occaſioned often, by the injuſtice of thoſe attainders. The attainders of inferior courts were, upon the like account, often reverſed. But, when parliamentary attainders went upon good grounds, tho' without obſerving the forms of law, they were never blamed, not to ſay condemned. When poiſoning was firſt practiſed in England, and put in a pot of porridge in the biſhop of Rocheſter's houſe, this, which was only felony, was, by a ſpecial law, made to be high treaſon; and a new puniſhment was appointed by act of parliament. The poiſoner was boiled alive. When the Nun of Kent pretended to viſions, to oppoſe king Henry VIII's divorce, and his ſecond marriage; and ſaid, if he married again, he ſhould not live long after it, but ſhould die a villain's death; this was judged in parliament to be high-treaſon; and ſhe and her accomplices ſuffered accordingly. After that, there paſſed many attain- 1696.

1696. ders in that reign, only upon depoſitions, that were read in both houſes of parliament. It is true, theſe were much blamed; and there was great cauſe for it: there were too many of them; for this extreme way of proceeding is to be put in practice but ſeldom, and upon great occaſions; whereas many of theſe went upon ſlight grounds, ſuch as the ſuffering ſome paſſionate and indecent words, or the uſing ſome embroidery in garments and coats of arms with an ill intent. But that, which was indeed execrable, was, that perſons in priſon were attainted, without being heard in their defence. This was ſo contrary to natural juſtice, that it could not be enough condemned. In king Edward VI's time, the lord Seymour was attainted in the ſame manner, only with this difference, that the witneſſes were brought to the bar, and there examined; whereas formerly they proceeded upon ſome depoſitions, that were read to them. At the duke of Somerſet's trial, which was both for high-treaſon and for felony, in which he was acquitted of the treaſon, but found guilty of felony, depoſitions were only read againſt him; but the witneſſes were not brought face to face, as he preſſed they might be. Upon which it was, that the following parliament enacted, that the accuſers (that is, the witneſſes) ſhould be examined face to face, if they were alive. In queen Elizabeth's time, the parliament went out of the method of law, in all the ſteps of their proceedings againſt the queen of Scots. It is true, there were no parliamentary attainders in England during that long and glorious reign, upon which thoſe, who oppoſed the bill, had inſiſted much; yet that was only, becauſe there then was no occaſion here in England for any ſuch bill. But in Ireland, where ſome things were notoriouſly true, which yet could not be legally proved, that government was forced to have, on many different occaſions, recourſe to this method. In king James Iſt's time, thoſe who were concerned in the gun-powder plot, and choſe to be killed, rather than taken, were by act of parliament attainted after their death; which the courts of law could not do, ſince, by our law, a man's crimes die with himſelf; for this reaſon, becauſe he cannot make his own defence, nor can his children do it for him. The famous attainder of the earl of Strafford, in king Charles Iſt's time, has been much and juſtly cenſured, not ſo much becauſe it paſſed by bill, as becauſe of the injuſtice of it. He was accuſed for having ſaid, upon the houſe of commons refuſing to grant the ſubſidies, which the king had aſked, "That the king was abſolved from all the rules "of government, and might make uſe of force to

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"ſubdue this kingdom." Theſe words were proved only by one witneſs, all the reſt of the council, who were preſent, depoſing, that they remembred no ſuch words, and were poſitive, that the debate ran only upon the war with Scotland; ſo that though "this kingdom," ſingly taken, muſt be meant of England, yet it might well be meant of "that kingdom," which was the ſubject then of the debate. Since then the words were capable of that favourable ſenſe, and that both he, who ſpoke them, and they, who heard them, affirmed, that they were meant and underſtood in that ſenſe, it was a moſt pernicious precedent, firſt to take them in the moſt odious ſenſe poſſible, and then to deſtroy him, who ſaid them, upon the teſtimony of one ſingle exceptionable witneſs. Whereas if, upon the commons refuſing to grant the king's demand, he had plainly adviſed the king to ſubdue his people by force, it is hard to tell, what the parliament might not juſtly have done, or would not do again in the like caſe. In king Charles IId's time ſome of the moſt eminent of the regicides were attainted, after they were dead; and in king James's time the duke of Monmouth was attainted by bill. Theſe laſt attainders had their firſt beginning in the houſe of commons. Thus it appeared, that, theſe laſt two hundred years, not to mention much ancienter precedents, the nation had upon extraordinary occaſions proceeded in this parliamentary way by bill. There were alſo many precedents of this method. And whereas it was ſaid, that an ill parliament might carry theſe too far, it is certain, that the nation, and every perſon in it, muſt be ſafe, when they are in their own hands, or in thoſe of a repreſentative choſen by themſelves. As, on the other hand, if that be ill choſen, there is no help for it; the nation muſt periſh, for it is by their own fault. They have already too many precedents for this way of proceeding, if they intend to make an ill uſe of them. But a precedent is only a ground or warrant for the like proceeding upon the like occaſion. Two rules were laid down for all bills of this nature; firſt, that the matter be of a very extraordinary nature. Leſſer crimes had better be paſſed over than puniſhed by the legiſlature. Of all the crimes, that can be contrived againſt the nation, certainly the moſt heinous one is, that of bringing in a foreign force to conquer us. This ruins both us and our poſterity for ever. Diſtractions at home, how fatal ſoever, even though they ſhould end ever ſo tragically, as ours once did in the murder of the king and in a military uſurpation, yet were capable of a criſis and a cure. In the year 1660, we came again to our wits, and

1696.

1696. all was ſet right again. Whereas there is no proſpect, after a foreign conqueſt, but of ſlavery and miſery. And, how black ſoever the aſſaſſinating a king muſt needs appear, yet a foreign conqueſt is worſe; it is aſſaſſinating the kingdom; and therefore the inviting and contriving that muſt be the blackeſt of crimes. But, as the importance of the matter ought to be equal to ſuch an unuſual way of proceeding, ſo the certainty of the facts ought to be ſuch, that, if the defects in legal proof are to be ſupplied, yet this ought to be done upon ſuch grounds, as make the fact charged appear ſo evidently true, that though a court of law could not proceed upon it, yet no man could raiſe in himſelf a doubt concerning it. Antiently treaſon was judged as a felony ſtill is, upon ſuch preſumptions, as ſatisfied the jury. The law has now limited this to two witneſſes brought face to face. But the parliament may ſtill take that liberty, which is denied to inferior courts, of judging this matter, as an ordinary jury does in a caſe of felony. In the preſent caſe there was one witneſs "viva voce," upon whoſe teſtimony ſeveral perſons had been condemned, and had ſuffered; and theſe neither at their trial, nor at their death, diſproved or denied any circumſtance of his depoſitions. If he had been too much a libertine in the courſe of his life, that did not deſtroy his credit as a witneſs. In the firſt trial this might have made him a doubtful witneſs; but what had happened ſince had deſtroyed the poſſibility even of ſuſpecting his evidence. A party had been in intereſt concerned to inquire into his whole life, and in the preſent caſe had full time for it; and every circumſtance of his depoſition had been examined; and yet nothing had been diſcovered, that could ſo much as create a doubt. All was ſtill untouched, ſound, and true. The only circumſtance, in which the dying ſpeeches of thoſe, who ſuffered on his evidence, ſeemed to contradict him, was concerning king James's commiſſion; yet none of them denied really what Porter had depoſed, which was, that Charnock told him, that there was a commiſſion come from king James for attacking the prince of Orange's guards. They only denied, that there was a commiſſion for aſſaſſinating him. Sir John Friend and ſir William Perkins were condemned for the conſultation now given in evidence againſt ſir John Fenwick. They died not denying it. On the contrary they juſtified all they had done. It could not be ſuppoſed, that, if there had been a tittle in the evidence that was falſe, they ſhould both have been ſo far wanting to themſelves and to their friends, who were to be tried upon the ſame evidence, as not to have

have declared it in the ſolemneſt manner. Theſe things were more undeniably certain than the evidence of ten witneſſes could poſſibly be. Witneſſes might conſpire to ſwear a falſhood; but, in this caſe, the circumſtances took away the poſſibility of a doubt. And therefore the parliament, without taking any notice of Goodman's evidence, might well judge Fenwick guilty; for no man could doubt of it in his own mind. The antient Romans were very jealous of their liberty; but, how exact ſoever they might be in ordinary caſes, yet, when any of the citizens ſeemed to have a deſign of making himſelf king, they either created a dictator, to ſuppreſs or deſtroy him, or elſe the people proceeded againſt him in a ſummary way. By the Porcian law, no citizen could be put to death for any crime whatſoever; yet ſuch regard did the Romans pay to juſtice, even above law, that, when the Campanian legion had perfidiouſly broke in upon Rhegium, and pillaged it, they put them all to death for it. In the famous caſe of Cataline's conſpiracy, as the evidence was clear, and the danger extreme, the accomplices in it were executed, notwithſtanding the Porcian law. And this was done by the order of the Senate, without either hearing them make their own defence, or admitting them to claim the right, which the Valerian law gave them, of an appeal to the people; yet that whole proceeding was chiefly directed by the two greateſt aſſerters of public liberty, that ever lived, Cato and Cicero. And Cæſar, who oppoſed it on pretence of its being againſt the Porcian law, was for that reaſon ſuſpected of being in the confederacy. It appeared afterwards, how little regard he had, either to law or liberty, though, upon this occaſion, he had made uſe of the one to protect thoſe, who were in a plot againſt the other. 1696.

This laſt expreſſion was much reſented by thoſe, who were againſt the bill, as carrying a ſevere reflection upon them for oppoſing it; and indeed the biſhop, though he only offered what reaſons occurred to him to juſtify his voting for the bill, fell under a great load of cenſure on this occaſion.

In concluſion, the bill paſſed by a ſmall majority of ſeven voices only, there being ſixty-eight for it, and ſixty one againſt it[c]. The bill is paſſed by the lords.

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[c] The lords, who were for the negative (among whom were ſeveral of the king's ſervants and counſellors) entered their proteſt, which they grounded on the following reaſons: "1. Becauſe

1696-7. Jan. 11. The bill, ſoon after, received the royal aſſent; and, at the ſame time, paſſed an act to attaint ſuch perſons as were concerned in the late conſpiracy, who had fled from juſtice, unleſs they came in within a limited time, and alſo for continuing ſeveral others of the conſpirators in cuſtody. Sir John Fenwick made all poſſible application to the king for a reprieve; and, as a main ground for that, and, for an article of merit, he alledged, that he had ſaved the king's life two years before. It ſeems, he pretended, that, when the jacobites, after Charnock's return from France, had reſolved to aſſaſſinate the king, before he went to Holland; and had acquainted him with their deſign; that, he aſſured them, he would diſcover it, if they did not promiſe to lay it aſide. But, as this fact could not be proved, ſo it could

" bills of attainder againſt perſons in priſon, and who are therefore liable to be tried by common law, are of a dangerous conſequence to the lives of the ſubjects, and may tend to the ſubverſion of the laws of the kingdom. 2. Becauſe the evidence of grand jury-men, of what was ſworn before them againſt ſir John Fenwick, as alſo the evidence of the petty jury-men, was admitted here; both which are againſt the rules of law, beſides, that they diſagreed in their teſtimony. 3. Becauſe the information of Goodman in writing was received, which by law was not admitted, and the priſoner, for want of appearing face to face, (as is by law required) could not have the advantage of croſs-examining him. And it did not appear by evidence, that ſir John Fenwick, or any perſon employed by him, had any way perſuaded Goodman to withdraw himſelf; and it would be of very dangerous conſequence, that any perſon ſo accuſed ſhould be condemned; for by this means a witneſs, who ſhould be found inſufficient to convict a man, ſhall have more power to hurt a man by his abſence, than if he were produced "viva voce" againſt him. 4. Becauſe if Goodman had appeared againſt him, he was infamous in the whole courſe of his life, and could not be a good witneſs, eſpecially in caſes of blood. 5. Becauſe in this caſe there was but one evidence, viz. Porter, and he a very doubtful one. Laſtly, becauſe ſir John Fenwick was ſo inconſiderable a man, as to endangering the peace of the government, that there was no neceſſity of proceeding againſt him in ſo extraordinary a manner." The year following a pamphlet was publiſhed in juſtification of that bill, under the title of, A Letter to a Friend, in vindication of the proceedings again ſir John Fenwick, by a bill of attainder, with ſome remarks on his printed paper.

con-

confer no obligation on the king, ſince he had given him no warning of his danger; and, according to his own ſtory, had truſted the conſpirators words very eaſily, when they promiſed to purſue their deſign no further; which he had no reaſon to do. So that this pretenſion was not much conſidered. But he was preſſed to make a full diſcovery; and, for ſome days, he ſeemed to be in ſome ſuſpenſe, what courſe to take. He deſired to be ſecured, that nothing, which he confeſſed, ſhould turn to his own prejudice. The houſe of lords ſent an addreſs to the king, intreating that they might be at liberty to make him their promiſe; and that was readily granted. He then farther deſired, that, upon making a full confeſſion, he might be aſſured of a pardon, without being obliged to become a witneſs againſt any other perſon. To this the lords anſwered, that he had to do with men of honour; and that he muſt truſt to their diſcretion: that they would mediate for him with the king, in proportion as they ſhould find his diſcoveries ſincere and important: his behaviour to the king, hitherto, had not been ſuch, as to induce the lords to truſt to his candor; it was much more reaſonable, that he ſhould truſt to them. Upon this all hopes of any diſcoveries from him were laid aſide; and ſir John Fenwick prepared himſelf to die. He deſired the aſſiſtance of a divine; and the government offered him the choice of any clergyman, that had taken the oaths; or, if that would not do, of any of the biſhops, who had diſſented about the bill of attainder; all whom he would not admit. Then three or four nonjuring clergymen were offered him; but they would not come to him, pretending a fear that the oaths would be tendered to them. Dr. White, the nonjuring biſhop of Chicheſter, was, at laſt, offered him. In this, and ſeveral other matters, biſhop Burnet did him ſuch ſervice, that ſir John wrote him a letter of thanks. He was beheaded on Tower-hill, on the 28th of January; and died very compoſed, and in a much better temper than was to be expected, for his life had been very irregular. At the place of execution, he delivered a paper, in writing, to the ſheriff; wherein he did not deny the facts that had been ſworn againſt him; but complained of the injuſtice of the procedure; and left his thanks to thoſe who had voted againſt the bill. He owned his loyalty to king James, and to the prince of Wales, after him; but mentioned the deſign of aſſaſſinating king William, in terms full of horror. The paper was ſuppoſed to have been drawn by biſhop

1696-7.

Fenwick executed. Jan. 28.

1696-7. biſhop White; and the jacobites were much provoked with the laſt-mentioned paragraph [d].

During

[d] The paper was as follows:

"Speaking nor writing was never my talent, I ſhall therefore give a very ſhort but faithful account; firſt of my religion, and next what I ſuffer moſt innocently for, to avoid the calumnies I may reaſonably expect, my enemies will caſt upon me when dead, ſince they have moſt falſely and maliciouſly aſperſed me, whilſt under my misfortunes.

"As for my religion, I was brought up in the church of England, as it is by law eſtabliſhed, and have ever profeſſed it; though I confeſs, I have been an unworthy member of it, in not living up to the ſtrict and excellent rules thereof; for which I take ſhame to myſelf, and humbly ask forgiveneſs of God. I come now to die in that communion, truſting as an humble and hearty penitent to be received by the mercy of God, through the merits of Jeſus Chriſt my ſaviour.

"My religion taught me my loyalty, which I bleſs God is untainted; and I have ever endeavoured in the ſtation, wherein I have been placed, to the utmoſt of my power to ſupport the crown of England in the true and lineal courſe of deſcent without interruption.

"As for what I am now to die, I call God to witneſs, I went not to that meeting in Leadenhall-ſtreet, with any ſuch intention, as to invite king James by force to invade this nation; nor was I myſelf provided with either horſe or arms, or engaged for any number of men, or gave particular conſent for any ſuch invaſion, as is moſt falſely ſworn againſt me.

"I do alſo declare in the preſence of God, that I knew nothing of king James's intending coming to Calais, nor of any invaſion intended from thence, till it was publickly known. And the only notion I had, that ſomething might be attempted, was from the Thoulon fleet coming from Breſt.

"I alſo call God to witneſs, that I received the knowledge of what is contained in thoſe papers, that I gave to a great man, that came to me in the Tower, both from letters and meſſages, that came from France; and he told me, when I read them to him, that the prince of Orange had been acquainted with moſt of thoſe things before.

"I might have expected mercy from that prince, becauſe I was inſtrumental in ſaving his life; for, when, about April 1695, an attempt againſt him came to my knowledge, I did partly by diſſuaſions, and partly by delays, prevent the deſign; which I ſuppoſe was the reaſon, that the laſt villainous project was concealed from me.

"If there be any perſon, whom I have injured in word

"or

During Fenwick's affair, a deſign was carried on againſt the duke of Shrewſbury, which, but for it's ſingular circumſtances, hardly deſerves to be mentioned. There was one Matthew Smith, nephew to ſir William Perkins. He had been captain of an independent company at Windſor, and commanded all the time of king William's being there, when he firſt came to England. Upon the diſbanding of the independent companies, he received a commiſſion in the duke of Norfolk's regiment; but was ſoon after diſmiſſed the ſervice; which threw him into the diſaffected party. But he pretended, that, when he found, that king James's intereſts were no way to be ſupported, but by invaſions from the French, and by aſſaſſinations of the king, his duty to his country, and the horror of ſuch attempts, made him reſolve, as much as in him lay, to diſappoint ſuch deſigns. Accordingly, he applied himſelf to the duke of Shrewſbury's office, pretending, that he could make great diſcoveries; and that he knew all the motions and deſigns of the jacobites. He ſent many dark and ambiguous letters to that duke's under-ſecretary, which were, more properly, to be called amuſements, than diſcoveries [c]: For he gave only hints

1696-7.

Practices againſt the duke of Shrewſbury. Smith's memoirs. Burnet.

" or deed, I heartily pray their " pardon, and beg of God to " pardon thoſe, who with great " zeal have ſought my life, and " brought the guilt of my inno- " cent blood upon this nation, on " treaſon being proved upon me.

" I return my moſt hearty " thanks to thoſe noble and " worthy perſons, who gave " me their aſſiſtance by oppoſing " this bill of attainder, without " which it had been impoſſible " I could have fallen under the " ſentence of death. God bleſs " them and their poſterity; " though I am fully ſatisfied they " pleaded their own cauſe, " while they defended mine.

" I pray God to bleſs my true " and lawful ſovereigns king " James and the queen, and " prince of Wales; and reſtore " him and his poſterity to this " throne again, for the peace " and proſperity of this nation, " which is impoſſible to proſper " till the government is ſettled " upon a right foot.

" And now, O God, I do " with all humble devotion com- " mend my ſoul into they hands, " the great maker and pre- " ſerver of men, and lover of " ſouls; beſeeching thee, that " it may be always dear and " precious in thy ſight, through " the merits of my ſaviour Je- " ſus Chriſt. Amen."

[c] Theſe letters were publiſhed by Smith himſelf, in 1697, under the title of Memoirs of ſecret ſervices. He begins with minutes of the 2d of September 1694, with the duke of Shrewſbury, informing him that king James deſigned to invade England in the ſpring of the year 1693,

1696-7. hints and ſcraps of ſtories; and, though he had got a promiſe not to be made a witneſs, yet he never offered any other witneſs, nor told where any of thoſe, whom

1693; but that a difference happened between the jacobites here, which aroſe upon occaſion of that king's declaration of the 17th of April 1693, by which the papiſts were put out of hopes of command, in caſe that king ſhould be reſtored. That this declaration was obtained by a party called compounders, who promiſed, upon the granting that declaration, to reſtore king James in a very ſhort time. That this king was very much averſe to the ſigning it; that it was drawn here in England, and carried over by the lord Middleton, who declared, that, upon king James's laying aſide the lord Melfort, and his conſenting to the declaration, the compounders would perform their promiſe. That the French king was wrought upon by the intereſt, which the compounders made with one of his ſecretaries (who was a public enemy to the lord Melfort, and to his way of proceeding) to perſuade king James to ſign that declaration, notwithſtanding his diſinclination to it. That the compounders made ſeveral terms with that king, and ſome of them were to be made truſtees, as they ſtiled themſelves, of the nation, for king James's performance of what he had promiſed in that declaration. That upon this the Jacobites divided into factions, the one ſtiled Compounders; the other, called Melfordians, who joined with the papiſts to reſtore their king without terms, with ſword in hand. That, upon the Compounders failure of promiſe as to the time of reſtoring the king, he took himſelf to be acquitted from ſtanding to that declaration drawn up by them; and now hearkened to the Melfordians; and, though Melfort was publicly laid aſide, yet he ſtill acted behind the curtain, and nothing was valued, unleſs recommended by him, while Middleton was only the ſhadow of a ſecretary. That in ſpring 1693, great application had been made to king James to come over, who accordingly gave the Melfordian faction great hopes. That the compounding party, getting knowledge of it, laboured to prevent it, by reaſon that their meaſures were not fully concerted, and therefore ſent to the French king, to let him know, that it would be in vain to do it that ſpring, becauſe the Engliſh fleet was in ſuch readineſs, that they could fit out fifty-eight men of war in a fortnight's time; ſo that the deſign went off with a promiſe to ſtir the year after. That, when Melfort ſeemed to leave all buſineſs, and retire from the court at St. Germain's, every one complimented and waited on him to his coach, except the lord Griffin and David Lloyd, they being great compounders, and of Middleton's faction. That ſir James Montgomery was of the compounding party, and that they helped him to make his eſcape; for, he being a timorous man, they were afraid of his confeſſing. Then Smith proceeds to make ſeveral diſcoveries, which

are

whom he informed againſt, were lodged, or how they might be taken. He was always aſking more money, and boaſting what he could do, if he were well ſupplied; and he ſeemed to think he never had enough. It is true, before the conſpiracy broke out, he had given ſuch hints, that, when it was diſcovered, it appeared he muſt have known much more of it, than he thought fit to tell. The duke of Shrewſbury acquainted the king with his diſcoveries; but nothing could then be made, either of them, or of him. When the whole plot was unravelled, it was manifeſt, from his letters, that he muſt have known more of it, than he would own; but he ſtill claimed the promiſe before made him, that he ſhould not be a witneſs. Upon the whole, therefore, he rather deſerved a ſevere puniſhment, than any of thoſe rewards, which he pretended to. He was accordingly diſmiſſed by the duke of Shrewſbury, who thought, that even this ſuſpicious behaviour of his did not releaſe him from keeping the promiſes, which he had made to him. Captain Smith hereupon went to the earl of Monmouth, afterwards earl of Peterborough, and poſſeſſed him with bad impreſſions of the duke of Shrewſbury, and found him much inclined to entertain them. He told him, that he had made great diſcoveries, of which the duke would take no notice; and, becauſe the duke's ill health had obliged him to go into the country two days before the aſſaſſination was intended, he put this conſtruction upon it, that he was willing to be out of the way, when the king was to be murdered. To fix this imputation, he ſhewed the earl the copies of all his letters; all which, but the laſt more eſpecially, had the face of a great diſcovery [f]. The 1696-7.

are much the ſame, with thoſe mentioned in the account of the plot. Theſe memoirs were immediately animadverted upon, by Mr. Richard Kingſton, in his modeſt anſwer to captain Smith's immodeſt memoirs, wherein he endeavours to ſhew, that theſe memoirs were not written by the captain, but by Mr. Thomas Brown a ſtiff jacobite, and mercenary poet. That they were publiſhed and diſperſed at the charge of the party, and the letters were ſo altered and interpolated, that they were not the ſame with the originals, ſent to the earl of Shrewſbury, and that the ſubſtance of the memoirs were mere fardles of improbabilities, incongruities and invented falſities.

[f] When Smith complained to the lords, intimating, that the duke of Shrewſbury intended to ſtifle his informations, the houſe ſent to the duke in the country, to know what paſſed between him and Smith, which the duke acquainted them in the following letter to the lord-keeper:

My

1696-7. The earl of Monmouth carried this to court; and it made ——— ſuch an impreſſion there, that the earl of Portland ſent captain

Eyford, 15 Jan. 1696.

" My lord,

" Having received the commands of the houſe of lords, " to lay before their lordſhips " what letters I received from " one Smith in February laſt, or " in caſe I kept none, then to " acquaint the houſe with what " I can remember was contained in them, I am very ſorry " not to be able ſo fully to comply with their lordſhips directions, as I wiſh I could. " For having heard long ſince, " that this man did pretend to " great merit for his diſcoveries, " and had, on ſeveral occaſions, " in a very unhandſome manner, complained of me, I did " then endeavour to collect what " letters he had ſent me, that I " might judge how his intelligence appeared, when put together; for, as it came to " me, I could make little of it. " But I found I could retrieve " ſo few, and thoſe generally " of an old date, when I had " more value for his intelligence, than I had afterwards, " that I am almoſt certain I " have none of thoſe letters left, " which their lordſhips deſire " to ſee. I ſhall therefore apply myſelf to give them the " beſt account of what he did " inform me that is moſt material at this time; which I am " the better able to collect, " becauſe ſeveral things he then " mentioned fell out ſo true, " that I was ſurpriſed how he " could know them, and not " more, till I underſtood he had " his intelligence from one " Hewet, a youth, that lived " with major Holmes's brother. " I think, and was about that " time often employed to wait " on ſir George Barclay; by " which means he had opportunity to gueſs or over-hear " particulars, which otherwiſe, " I ſuppoſe, he might not be " truſted with. I remember in " winter Smith wrote very poſitively of an invaſion intended from France, which was " to break out at the arrival of " the Thoulon fleet; and that " many gentlemen of quality " and officers were ſent from " St. Germain's on that deſign. " He named ſir Henry Browne, " my lord Mountague's brother " at one time; at another ſir " George Barclay, Holmes, " Counter, and others. Then " he gave hints of ſome great " deſign, which he ſhould ſoon " diſcover the bottom of; and " afterwards grew more particular, that it was to ſeize the " king's perſon, and named " Barclay, Charnock, Holmes, " and others, as employed in the " villainy; and that, at the " the ſame hour this was to be " executed, there was to be " a general riſing in all the " counties of England. He was " different in his accounts about " the manner of ſeizing the " king. Sometimes Mr. Lattin's lodge near Richmond " was to be attacked, and the " walls ſcaled by foot, whilſt he " was there. Sometimes an attempt of the like nature was " to be made at Kenſington " houſe; and at other times the

" king

tain Smith money, and entertained him as a ſpy; but never could, by his means, learn any one real piece of intelligence. When this happened, the king was juſt going beyond the ſea; ſo captain Smith's letters were taken and ſealed up by the king's order, and left in the hands of ſir William Trumbull, who was the other ſecretary of ſtate. This matter lay quiet, till Fenwick began to make diſcoveries; and, when the earl of Monmouth underſtood, that he had not named himſelf (about which he expreſſed too vehement a concern) but that he had named the duke of Shrewſbury, it was ſaid, that he entered into a negotiation with the ducheſs of Norfolk, that ſhe ſhould, by ſir John Fenwick's lady, encourage him to perſiſt in his diſcoveries; and that he dictated ſome paper to the ducheſs, that ſhould be offered to him as an additional one; in which many little ſtories were related, which had been told the king, and might be believed by 1696-7.

" king was to be ſet upon going to, or coming from hunting. Near to the day the aſſaſſination was intended, he was very earneſt for money to buy a horſe and equipage; upon which I deſired Mr. Vernon to talk with him, if he knew of his own knowledge any perſon engaged in ſuch a deſign; for, being never able to bring any thing in confirmation of what he aſſerted, from whom he had it, or what time it was to be executed, I ſuppoſed there was no truth in the ſtory; or, if there were, I might poſſibly have ſet him to be engaged in it. He gave Mr. Vernon no ſatisfaction upon diſcourſing with him, but proceeded in his promiſes to him, that nothing could be attempted, but he would give me an account. When the whole was brought to light, and it appeared he was not enough in the ſecret to have prevented it, I intended notwithſtanding to have done ſomething for him, and at his own deſire concealed his name, to give him an opportunity, as he pretended, to apprehend Chambers. In the mean time I had an account, that in very public places he began to threaten that he would complain of me to the parliament; whereupon I neither thought it ſafe nor decent to have any more to do with him.

" What I received, relating to the attempt on his majeſty's perſon or the invaſion, I always gave the king an account, whilſt I was able to wait on him; but, being much indiſpoſed, I had his majeſty's leave to go into the country for a few days, where I remained, till I was commanded back, upon the happy diſcovery of that horrid deſign.

" This, my lord, is all I can collect to the ſubject their lordſhips were pleaſed to command. I beg the favour it may be communicated to the houſe, and am, &c.

1696-7. him; and by theſe the king might have been diſpoſed to believe the reſt of Fenwick's paper. And the whole ended in ſome diſcoveries concerning Smith, which would naturally occaſion his letters to be called for, and then they would probably have great effect. The ducheſs of Norfolk declared, that he had dictated all theſe ſchemes of his to her, who copied them, and handed them to ſir John Fenwick, and that he had left one paper with her. It was ſhort, but contained an abſtract of the whole deſign, and referred to a larger one, which he had only dictated to her. The ducheſs ſaid, that ſhe had placed a gentlewoman, who carried her meſſages to Fenwick's lady, to overhear all that paſſed; ſo that ſhe both had another witneſs to ſupport the truth of what ſhe related, and a paper left by him with her. She ſaid, that Fenwick would not be guided by him, and declared, he would not meddle with contrived diſcoveries. That thereupon the earl of Monmouth was highly provoked: he ſaid, that, if ſir John would follow his advice, he would certainly ſave him; but, if he would not, he would get the bill to paſs. And indeed, when that matter was depending, he ſpoke two full hours in the houſe of lords, in favour of the bill, with a peculiar vehemence. Fenwick's lady, being much provoked at this, got her nephew, the earl of Carliſle, to move the lords, that her huſband might be examined concerning any advices, that had been ſent him with relation to his diſcoveries; and upon this ſir John told him what his lady had brought him, and thereupon the ducheſs of Norfolk and her confident were likewiſe interrogated, and gave the account, which has been related. In concluſion, captain Smith's letters were read, and he himſelf was examined. This held the lords ſeveral days; for the earl of Portland, by the king's orders, produced all Smith's papers. By them it appeared, that he was a very inſignificant ſpy, who was always inſiſting in his old ſtrain of aſking money, and taking no care to deſerve it.

The earl of Monmouth was, upon the accuſation and evidence above mentioned, ſent to the tower, and turned out of all his employments. But the court had no mind to have the matter farther examined into; for the king ſpoke to biſhop Burnet, to do all he could to ſoften the earl's cenſure, which he did. The lords were much ſet againſt him, and ſeemed reſolved to go great lengths. To allay that heat, the biſhop, who did not know what new ſcheme of confuſion might have been opened by him, in his own excuſe, put the houſe in mind, that he ſet the revolution on foot, and

was

was a great promoter of it, coming twice over to Holland, to that purpoſe; he then moved, that he might be ſent to the Tower. This was agreed to, and he lay there till the end of the ſeſſion, and was removed from all hi places: but that loſs, as was believed, was ſecretly made up to him, for the court was reſolved not to loſe him intirely. 1697.

After Fenwick's buſineſs was over, the parliament, to the great ſatisfaction of the people, took care to remedy a public grievance of long ſtanding. Several places in and about the city of London which, in the times of the Romiſh ſuperſtition, were allowed as ſanctuaries to criminals and debtors, had, ever ſince the reformation, pretended a privilege to protect the latter; and one of theſe, called White Friars, was become a notorious receptacle of broken and deſperate men, in the very heart of the metropolis, whither they reſorted in great numbers, and, to the diſhonour of the government, and great prejudice of the people, defended themſelves with force and violence againſt the law and public authority. This intolerable miſchief the parliament redreſſed by an Act for the more effectual relief of creditors in caſes of eſcapes, and for preventing abuſes in priſons and pretended privileged places; wherein ſuch effectual proviſion was made to reduce thoſe outlaws, that, immediately after the act was publiſhed, they abandoned their poſts to better inhabitants. An act alſo paſſed for the relief of creditors, by which they were enabled to make compoſitions with their debtors, in caſe two thirds, in number and value, did agree: But this act was repealed the next ſeſſion. Privileged places diſfranchiſed.

Towards the beginning of this ſeſſion, the commons, having taken notice of the late miſcarriages of the fleet, ordered, that ſir George Rooke ſhould attend the houſe, to give an account, why the French Toulon ſquadron was not intercepted in going to Breſt? That admiral attended accordingly, and afterwards produced copies both of his journal, and of the orders, which he had received from the admiralty; which being examined, it was ordered, that ſir Cloudeſly Shovel ſhould lay before the houſe copies of all ſuch orders, as he had received, in order to the joining ſir George Rooke. Which being done, and much time ſpent in both houſes about this affair, it did not appear, that either of theſe admirals had failed in their duty. Miſcarriages of the fleet inquired into.

On the 16th of April, the king came to the houſe of lords, to put an end to this long ſeſſion, and made the following ſpeech to both houſes: The parliament prorogued.

 Pr. H. C. III. 73.

"My lords and gentlemen,

"HAving given my aſſent to the ſeveral bills you have preſented to me, I am now to return you my hearty thanks for what you have done this ſeſſion, which has been carried on with great prudence, temper, and affection.

"At the opening of the ſeſſion I told you, how ſenſible I was of the difficulties to be ſtruggled with, which were of ſuch a nature, that I will freely own the hopes, I had of your being able to overcome them, were founded only upon the wiſdom and zeal of ſo good a parliament.

"My expectation has been fully anſwered. You entered upon the buſineſs with ſo much chearfulneſs, proceeded ſo unanimouſly, and have at laſt brought things to ſuch a concluſion, that we may hope to carry on the war with ſucceſs, in caſe our enemies do not think it their intereſt to agree to an honourable peace. And ſo effectual a proviſion being made for ſupplying the deficiencies of former funds (which is the beſt foundation for re-eſtabliſhing of credit) I doubt not, but, in a ſhort time, it will have a very happy effect, to the univerſal caſe and ſatisfaction of my people.

"The circumſtances of affairs making it neceſſary for me to be out of the kingdom for ſome time, I ſhall take care to leave the adminiſtration of the government, during my abſence, in the hands of ſuch perſons, as I can depend upon.

"My lords and gentlemen,

"I have nothing more to aſk of you, but that you carry down the ſame good diſpoſition into your ſeveral countries, which you have expreſſed in all the proceedings of this ſeſſion."

And then the lord-keeper prorogued the parliament to the 13th day of May.

Beſides the acts paſſed this ſeſſion, the commons ſent a bill to the lords, limiting elections to future parliaments, that none ſhould be choſen, but thoſe who had ſuch a proportion of eſtate or money; the lords rejected it: They thought it reaſonable to leave the nation to their freedom, in chuſing their repreſentatives in parliament: it ſeemed both unjuſt and cruel, if a poor man had ſo fair a reputation, as to be choſen, not-

notwithſtanding his poverty, by thoſe, who were willing to pay him wages, that he ſhould be branded with an incapacity, becauſe of his ſmall eſtate. Corruption in elections was to be apprehended from the rich, rather than from the poor. Another bill was ſent up by the commons, but rejected by the lords, prohibiting the importation of all Eaſt-India ſilks, and Bengales: this was propoſed, to encourage the ſilk manufacture at home; and petitions were brought for it by great multitudes, in a very tumultuary way; but the lords had no regard to that. 1697.

The lord Galway (created an earl) the marquis of Wincheſter and viſcount Vihiers were made lords juſtices of Ireland; and Mr. Methuen, chancellor of that kingdom, in the room of ſir Charles Porter, deceaſed.

The king, to return the compliment of the ſtate of Venice, who had at laſt acknowledged him by a ſolemn embaſſy, appointed the earl of Manchſter his ambaſſador extraordinary to that ſtate. The earl had always appeared zealous in the cauſe of liberty, and had, at his own expence, accompanied the king as a voluntier, with a very handſome retinue into Ireland; and was in the battle of the Boyne, at the ſiege of Limerick, and, after the reduction of Ireland, was made captain of the band of yeomen of the guards. At the ſame time, ſir James Ruſhout was ſent ambaſſador to Turky, and ſir Lambert Blackwell (knighted on that occaſion) envoy to Tuſcany. Apr. 14.

About a month before, the earl of Ayleſbury, who (as ſaid before) was committed to the Tower, on account of the late plot, was brought by Habeas Corpus to the court of king's-bench, and releaſed upon bail; but the lord Montgomery, committed on the ſame account, was denied that favour and remanded to Newgate. Feb. 12.

The lord Berkley, of Stratton, who had ſignalized himſelf in ſeveral enterprizes in the channel, died of a pleuriſy and fever, cauſed by hard drinking, in company with ſeveral other nobles, who were alſo like to have ſuffered by it. Upon the lord Berkley's death, his regiment of marines was given to ſir Cloudeſly Shovel. Feb. 28.

The earl of Dorſet reſigned the office of lord Chamberlain, which he had enjoyed ever ſince the revolution. He was a generous good-natured man. He was ſo oppreſſed with phlegm, that, till he was a little heated with wine, he ſcarce ever ſpoke: but he was, upon that exaltation, a very lively man. Never was ſo much ill nature in a pen, as in his, joined with ſo much good nature, as was in himſelf, even Apr. 19. Burnet.

1697. to excefs; for he was againſt all puniſhing, even of malefactors. He was bountiful, even to run himſelf into difficulties, and charitable to a fault, for he commonly gave all he had about him, whenever he met an object that moved him. But he was ſo lazy, that though king Charles II. ſeemed to court him to be a favourite, he would not give himſelf the trouble that belonged to that poſt. He hated the court, and deſpiſed that king, when he ſaw he was neither generous, nor tender-hearted. He was ſucceeded in his office by the earl of Sunderland, who was ſoon after ſworn of the privy-council, and was now in as great favour, as he had been in the former reigns.

April 22. About the ſame time, the lord-keeper Somers was made lord high-chancellor, and baron of Eveſham in Worceſterſhire.

The king appoints a regency, and ſets out for Holland. The ſame day, the king appointed a regency during his abſence (1), and, two days after leaving Kenſington, he embarked, the 26th of April, at Margate for Holland, where he arrived the next day.

(1) The regents were the archbiſhop of Canterbury, lord chancellor Somers, the earl of Pembroke, the duke of Devonſhire, the duke of Shrewſbury, the earl of Dorſet, the earl of Romney, the earl of Sunderland, and admiral Edward Ruſſel, for whom a patent was preparing to create him baron of Shingey, viſcount Barfleur in Normandy, and earl of Orford, which was accordingly done the 6th of May.

CHAP.

1697.

CHAP. V.

The congreſs at Ryſwic.—Project of France.—Carthagena taken by Pointis.—Elector of Saxony choſen king of Poland.—The Czar travels to Holland and England.—Treaty of peace carried on,—The peace ſign'd by England, Spain and Holland.—King James diſregarded by France,—Truce between the empire and France.—Battle of Zenta.—Proteſtants neglected.—Reflections on the peace,—The king returns,—Conſultation about a ſtanding army,—army diſbanded.—Earl of Sunderland retires.—Civil liſt for life.—New India-company. Whigs loſe their credit.—Proceedings of the parliament—Diviſion among the clergy.—Society for reformation of manners,—and for propagating religion in foreign parts.—Earl of Macclesfield's caſe.—Parliament diſſolved.—Miniſtry's good conduct.—Earl of Portland ſupplanted by Keppel.—Duke of Glocester's houſhold ſettled.—Affairs of Scotland.—King of Spain's ill ſtate of health.—Treaty of Partition.—Intrigues of France in Spain.—Peace of Carlowitz,—a new parliament.—The army diminiſh.—The king reſolves to abandon the government.—Dutch guards diſmiſſed.—The lord Orford reſigns his places.—The parliament prorogued.—Settlement at Darien.—Parliament meets.—A change of miniſtry endeavoured.—Kidd's affair.—The forfeited eſtates.—Bill of reſumption.—The parliament prorogued.—Remarkable act againſt Papiſts.—Lord Sommers removed.—A ſecond Partition treaty.—Death of the duke of Glocester.—Temper of the nation.—War againſt the young king of Sweden.—Peace between Sweden and Denmark.

THE great tranſaction of this year was the treaty of a general peace. The chief of the Engliſh plenipotentiaries was the earl of Pembroke. He was a man of eminent virtue, and of great learning, particularly, in the mathematics. This made him a little too ſpeculative and abſtracted in his notions. He had great application, but had lived a little too much out of the world, though in a public ſtation. There was ſomewhat in his perſon and manner that created him an univerſal reſpect, for there was no man whom all ſides honoured ſo much as they did him. In this affair were joined with him the lord Villiers and ſir Joſeph Williamſon, as was before ſaid. The plenipotentiaries, named by France, were Harlay, Crecy, and Callieres. The firſt difficulty that aroſe was about the place of congreſs, the emperor

The Congreſs at Ryſwick. Burnet. Mem. of the peace of Ryſwick.

1697. peror propoſing either Mentz or Francfort, and the Dutch, with the moſt of their allies, inſiſting upon a place in Holland. It was expected, that either Maeſtricht, Nimeguen, or Breda, would have been choſen; but, towards the middle of January, Callieres, by his maſter's orders, moved that the plenipotentiaries of the allies, who were now at the Hague, ſhould reſide there, and thoſe of France at Delft, where they were at this time; and that the conferences ſhould be held at a palace belonging to king William, all which was agreed to. This palace was called Newburg-houſe, becauſe a duke of Newburg laid the firſt ſtone when it was building by Frederic Henry prince of Orange. No place could be more proper for the purpoſe, being ſituated between the Hague and Delft cloſe by the village of Ryſwick.

The French were reſolved to have a peace at any rate; not ſo much on account of the difficulties of carrying on the war, the decay of their trade, and their heavy taxes, but chiefly from another motive. The king of Spain's illneſs, and the ſucceſſion to his dominions, to which the French king had an eye, was the principal cauſe of his deſiring a peace. He knew, that as long as the war continued, and the grand confederacy remained intire, his deſign could not be accompliſhed; and therefore he haſtened the concluſion of the treaty, that he might have his hands free to fall upon Spain, the moment his catholic majeſty died, which he might eaſily do before a new league could be formed againſt him. Accordingly, as the king of Spain's ſickneſs increaſed, the French king offered advantageous terms, giving the allies more than could be expected, conſidering his conqueſts and force; and would have offered ſtill more, if all the allies had been of the emperor's mind, to require a greater number of reſtitutions.

The intereſts of the emperor were entirely contrary to thoſe of the French king. He had alſo his eye upon Spain, and therefore it no leſs concerned him, that the confederacy ſhould remain, than it did the French king, that it ſhould be broken. Beſides, the emperor had the more reaſon to excite the confederates to purſue the war, as he hoped to be ſoon able to turn more forces againſt France. For he was going to conclude a league with Muſcovy, by which the Czar was obliged to make war with all his force againſt the Turks and Tartars. He alſo hoped to have a king of Poland of his party, who might annoy the Turk in ſuch a manner, as to force him to a peace. The negotiation of the ſix circles of the

the Rhine, to have ſix thouſand, and, in caſe of need, twelve thouſand men on foot, was likewiſe in great forwardneſs. For theſe reaſons the emperor was entirely againſt a peace, and did all he could to retard it. 1697.

As for England and Holland, they had no other concern in the treaty, but to ſecure their allies, to ſettle a barrier in the Netherlands, and to get king William acknowledged. Things being in this ſtate, after ſeveral debates, the French plenipotentiary Callieres, on the tenth of February, in the name of his maſter, conſented to the following preliminaries:

I. That the treaties of Weſtphalia and Nimeguen ſhould be the baſis of this to be negotiated at Ryſwick.

II. That Straſburg ſhould be reſtored to the empire, in the ſame condition, as the French took it. [But here Borcel and Dychvelt, the Dutch plenipotentiaries, declared to the mediator, before Callieres, that, whenever the reſtitution of Straſburg was talked of, it was alſo added, or an equivalent at the emperor's choice.]

III. That Luxemburg ſhould be reſtored to the Spaniards in its preſent condition. [So likewiſe it was here declared in the ſame manner, or an equivalent to be propoſed by Spain to the king of France.]

IV. That Mons and Charleroy ſhould be ſurrendered as they were.

V. That all places taken by the French in Catalonia, ſince the peace of Nimeguen, ſhould be reſtored in the ſame manner.

VI. That Dinant, both the city and caſtle, ſhould be given up to the biſhop of Liege, as they were when taken.

VII. That all Reunions, ſince the treaty of Nimeguen, ſhould be made void.

VIII. That Lorrain ſhould be reſtored according to the conditions of that treaty; but farther agreed, that, in caſe the conditions made in reſpect to that country ſhould not pleaſe, that article ſhould be referred to the general treaty, and that it ſhould be the firſt point debated in the negotiation. Here it was likewiſe farther agreed, that upon concluſion of the peace, the French king ſhould acknowledge the prince of Orange as king of Great-Britain, without any manner of difficulty, reſtriction, condition, or reſerve; but as for other princes, whether they were in the confederacy or not, their pre-

1697. pretenſions ſhould be reſerved to the general negotiation under the mediation of the king of Sweden (1).

Some of the miniſters of the allies, after having conſulted their maſters upon theſe preliminaries, declared, that, as to the firſt article, they fully agreed to it; but, as for Straſburg, they farther inſiſted, that it ſhould be reſtored, with its fortifications and dependencies, and that no equivalent ſhould be accepted. They allowed of the third, fourth, and fifth articles; only they inſiſted, that not only the city but the county of Luxemburg, and that of Chinay ſhould be given up; as they likewiſe did that the city and caſtle of Dinant ſhould be yielded, together with the duchy of Bouillon, in the

(1) The other preliminaries were:

IX. That the duchy of Duexponts ſhould be reſtored to Sweden.

X. That Philipſburg ſhould be given up to the biſhop of Spire.

XI. That the fort of Kiel, and other fortifications made on the Rhine, ſhould be razed.

XII. That the ſame ſhould be done by fort Louis and Hunninghen.

XIII. That Traerback and Montroyal ſhould be given up; the firſt diſmantled, but upon condition never to be fortified again.

XIV. That the elector palatine ſhould not only be reſtored to all the electorate, but alſo to the duchies of Simmeren and Lauthern, with the earldom of Manheim; at alſo other places, whereof he had been diſpoſſeſſed to the preſent time.

XV. That the ducheſs of Orleans ſhould not have recourſe to open force to maintain her pretenſions, but might bring her action according to law, in relation to the elector.

XVI. That the caſtle and county of Veldens ſhould be reſtored to their lawful owner.

XVII. That Biſweiler ſhould be given to the count of Hanaw.

XVIII. That the ſeignories of March, Mormoſy, and Dagſtein, and the county of Dagſburg, ſhould be delivered up to the count of Overſtein.

XIX. That the ſeignories of Salms and Vallenſtein ſhould be given up to the prince of Salms, or to their proprietors, ſeeing the ſame was ſtill in queſtion.

XX. That the ſeignories of Lutzenſtein and Altheim ſhould be ſurrendered to their owners.

XXI. That Otweiles ſhould be given up to the houſe of Naſſau.

XXII. That the city and county of Montbeilliard, Harcourt, Painont, and Chattelette ſhould be put into the poſſeſſion of the houſe of Wirtemberg.

XXIII. That Germeſheim ſhould be given up to the elector palatine, notwithſtanding any former treaties to the contrary.

XXIV. That the principality of Orange ſhould be given up to its ſovereign.

the ſame ſtate they were. They owned themſelves alſo ſatisfied as to the ſeventh article concerning the Re-unions, but not ſo with the agreement made about Lorrain, which they would have reſtored to the duke it's ſovereign, without any manner of reſtriction. 1697.

Before any farther progreſs was made in the treaty, Charles XI. king of Sweden, who had been received as mediator, happened to die (1). His ſon, the famous Charles XII. who ſucceeded him in his throne, was but fifteen years old, and gave The king of Sweden dies. April 5. O. S.

(1) He was a rough and boiſterous man; he loved fatigue, and was free from vice; he reduced his kingdom to a military ſtate, and was ever going round it, to ſee how his troops were ordered, and his diſcipline obſerved: he looked narrowly into the whole adminiſtration; he had quite altered the conſtitution of his kingdom; it was formerly changed from being an elective, to be an hereditary kingdom, yet, till his time, it had continued to be rather an ariſtocracy, than a monarchy; but he got the power of the ſenators to be quite taken away, ſo that it was left free to him, to make uſe of ſuch counſellors as he ſhould chuſe; the ſenators had enriched themſelves, and oppreſſed the people; they had devoured the revenues of the crown, and in two reigns, in which the ſovereign was long in a ſtate of infancy, both in queen Chriſtina's and in this king's time, the ſenators had taken care of themſelves, and had ſtripped the crown. So the king moved for a general reſumption, and this he obtained eaſily of the ſtates; who, as they envied the wealth of the ſenators, ſo they hoped that, by making the king rich, the people would be leſs charged with taxes; this was not all, he got likewiſe an act of reviſion, by which thoſe who had grants were to account for the mean profits, and this was applied even to thoſe who had grants upon valuable conſiderations; for, when it appeared that the valuable conſideration was ſatisfied, they were to account for all they had received over and above that, and to repay this, with the intereſt of the money, at 12 per cent. for all the years they had enjoyed it. This brought a great debt on all the ſenators and other families of the kingdom, it did utterly ruin them and left them at mercy, and, when the king took from them all they had, he kept them ſtill in a dependence upon him, giving them employments in the army or militia that he ſet up.

After that, he procured of the ſtates of his kingdom an abſolute authority to govern them as he thought fit, and according to law; but even this limitation ſeemed uneaſy, and their ſlavery was finiſhed by another act, which he obtained, that he ſhould not be obliged to govern by law, but by his meer will and pleaſure: ſo ſucceſsful was he, in the ſpace of five years, to ruin all the families in his kingdom, and to deſtroy their laws and liberties, and that by their own conſent.

1697. gave great hopes of being an active, warlike, and indefatigable prince, which his reign did afterwards demonſtrate to the world. This accident was like to retard the negotiations, but the deceaſed king having appointed by his will the queen and five of the ſenators to adminiſter the government during his ſon's minority, the regents among whom the queen had two voices, and who had full power to make treaties, and perform all other acts of ſovereignty, as ſhould be agreed on by the major part of them, ſent immediately expreſſes to ſeveral foreign courts, to acquaint them with their intentions to purſue the mediation begun by the late king for the tranquility of Chriſtendom; and diſpatched a new commiſſion to monſieur Lillienroot for that purpoſe. Some time before it was agreed by the plenipotentiaries at the Hague, that for the eaſier carrying on the treaty, all ceremonies ſhould be laid aſide; and the titles, which any prince took, be of no conſequence: that the ſeveral Miniſters ſhould have free and ſecure correſpondence with the princes their maſters: that, in order to this, blank paſſports ſhould be given to each party for the couriers diſpatched by them, as alſo for the pacquet-boats to and from England: and that the powers of the reſpective plenipotentiaries ſhould be on the ſame foot they were at Nimeguen.

The conferences are opened. May 9. In purſuance of the preliminaries, monſieur Lillienroot, the mediator, appointed the firſt conference to be held at Ryſwick, on the 9th of May; and accordingly the allies being met together in the apartments on one ſide of the palace, the French in the apartments on the other ſide, and the mediator in the middle between both, the allies and the French ſhewed him their powers, and gave him copies of the ſame which he communicated to the reſpective miniſters, and left the copies with them. This, and the ſettling part of the ceremonial in order to further proceedings, took up near three hours; and then the conference was adjourned to the 11th of the ſame month; when, being met again in the ſame manner as they did at firſt, the powers of the allies were by the mediator exchanged with the French ambaſſadors. Beſides, they agreed to meet conſtantly on Wedneſdays in the morning, and Saturdays in the afternoon; and that, to prevent inconveniencies, which might ariſe from crouds of attendants, each ambaſſador ſhould go thither only with one coach with ſix horſes, two pages, and two footmen. On the 15th and 18th, the mediator and plenipotentiaries met again; but all they did at thoſe two con-

conferences was only to regulate ſeveral points of ceremony; in which, for the moſt part, they followed the rules, that were obſerved at the treaty of Nimeguen. 1697.

On the 22d of May, the imperial plenipotentiaries delivered to the mediator their demands in the name of the emperor and empire; and ſome of the German miniſters, at the ſame time, gave in the particular pretenſions of the princes their maſters. After which the allies drew up a large deduction in juſtification of their claims; of which however they reſolved to give the French ambaſſadors no copy, till they had received the king's orders to propoſe theirs. But the French plenipotentiaries having declared, that they had nothing to aſk or pretend to, and that they were ready to anſwer the others, the allies changed their minds; and the French, in the mean while, had ſeveral ſeparate conferences with the Dutch about commerce and a ceſſation of arms. This laſt point the French ſeemed very eager for, and the ſame was much preſſed by the mediator, who, upon the Spaniſh miniſters delivering their grievances, declared, that he was of opinion, that nothing could more contribute to the advancement of the peace, than the agreeing on a truce by common conſent: men's minds being ſo much the leſs compoſed, and fit for a calm negotiation, by how much they were elated or depreſſed by the good or bad ſucceſſes of war. Though this motion ſeemed then to be approved by ſilence, yet other things intervened, which cauſed it to be laid aſide. About the the ſame time the Brandenburg ambaſſadors ſtrongly inſiſted, that all the names of the confederate princes ſhould be expreſſed, and particularly inſerted in the treaty; and ſome of the allies took it very ill, that the pretenſions of the empire were propoſed by the emperor's ambaſſadors only in his imperial majeſty's name; to ſilence which complaints it was anſwered, that every one of the allies was free to propoſe ſeparate articles concerning his own affairs. Whereupon ſeveral princes gave in their grievances to their mediator.

Project of France.

The king of France, foreſeeing that the houſe of Auſtria would inſiſt upon the treaty of the Pyrenees, reſolved to make his laſt efforts in Flanders and Catalonia, to reduce the Spaniards to his own terms, and to advance the prince of Conti to the crown of Poland, not doubting but that warlike prince, who both from inclination and gratitude would ever promote the intereſt of France, would ſoon make the emperor more tractable. The French army was very numerous and formidable

1697. midable this year in the Low-Countries; and having, beſides, the advantage of being earlier in the field than the confederates, both by reaſon of the remoteneſs and ſlow march of the German troops and of king William's indiſpoſition, they boaſted of attacking a no leſs conſiderable place than Namur; but, having reflected upon the difficulties of that enterprize, they

May 16. were contented to open the campaign with the ſiege of Aeth, a place, which the French had yielded to Spain by the treaty of Nimeguen. There were no leſs than three marſhals of France in that army, Villeroy, Boufflers, and Catinat: but, Catinat being the greateſt general of the three, it was to him the French king gave the direction of the ſiege, and ordered monſieur Vauban to aſſiſt him in it, whilſt Villeroy and Boufflers ſhould obſerve the confederates. Upon intelligence of the French having inveſted Aeth, king William, who by this time was recovered of his late illneſs, immediately repaired to his army in Brabant, and had an interview with the duke of Bavaria, who commanded another army at hand, to join him upon occaſion. But, beſides the great ſuperiority of the French, which would have made the attempt very difficult, king William openly declared, he would not ſacrifice one man for the relief of a place, which the French would be obliged to give up by the peace. It is true, the king might eaſily have laid ſiege to Dinant, while Catinat was beſieging Aeth; but then Bruſſels had been left expoſed to Villeroy and Boufflers, who had a deſign upon that city; but the king, by a very happy diligence, preventing them, poſſeſſed himſelf of an advantageous camp, about three hours before the French could reach it, by which they were wholly diſabled to execute their deſign. As for Aeth, it was ſo vigorouſly preſſed by the beſiegers, and ſo faintly defended by the governor, for the ſame reaſons which induced

June 5. king William not to attempt its relief, that it ſurrendered after twelve days of open trenches.

Barcelona taken by the French. Not many days after the duke of Vendoſme, who commanded the French forces in Catalonia, inveſted Barcelona both by ſea and land, though he had ſcarce men enough to compleat his circumvallation. This gave the beſieged an opportunity to maintain a free communication with the viceroy of Catalonia, who thereupon took the field with a ſmall body of troops, and ſummoned the Miquelets to join him, in order to raiſe the ſiege. Beſides, the place was defended by a numerous garriſon of ten thouſand diſciplined men, and about five thouſand burghers, who had voluntarily taken up arms; and, to uſe all imaginable precautions for the preſervation

vation of that city, the queen of Spain recommended it to a prince of Heſſe d'Armſtadt, who had ſignalized himſelf, not only at the battle of Aghrim in Ireland, but likewiſe on ſeveral other occaſions, and who, upon changing his religion, was now at the head of the German troops that were ſent into Spain. All theſe difficulties made the world believe, that the poſitive orders of the court of France had engaged their general in an enterprize, which would not turn to his honour. People were confirmed in this opinion by the vigorous and well-timed ſallies of the prince of Heſſe, who diſputed every inch of ground with the enemy, and ſo retarded the advancing of their works, that the duke of Vendoſme wrote to the French king, that, unleſs he was ſpeedily reinforced, he ſhould be obliged to abandon the ſiege ingloriouſly. Upon this the French king ordered all the troops in Provence and Languedoc to march that way with all expedition; and, theſe ſuccours arriving in time, the French made a great attack, which laſted from twelve at night till three the next morning. They endeavoured three ſeveral times to paſs the paliſſadoes; but the beſieged repulſed them as often ſword in hand, and purſued them a good way. Had the prince of Heſſe been ſeconded by Don Franciſco de Valeſco, the Viceroy, the ſiege had certainly been raiſed; but the viceroy (whether by a fate common to all the Spaniards, or from a jealouſy, that the whole honour would accrue to a ſtranger, if the place ſhould hold out) ſo entirely neglected to do his part, that he was ſurprized, and his ſmall army routed. The French flushed with this ſucceſs, attacked the outworks, which they had been battering a long while with a great many cannon. This diſpute was obſtinate, and maintained with great courage and reſolution on both ſides; but at laſt the French, by the ſuperiority of their numbers, made themſelves maſters of the covered way, and afterwards advanced to the attack of two baſtions, which, after having been twice taken and retaken, one of them remained in the poſſeſſion of the aſſailants. The next day, the beſieged endeavoured to recover the baſtion of San Pedro they had loſt, which occaſioned a ſharp encounter. The French were twice beaten from their poſt, but at laſt lodged themſelves again; and, about the ſame time, the enemy ſprung a mine on the baſtion of Portal Nuova with ſo good ſucceſs, that after ſeveral attacks they lodged themſelves there likewiſe. Upon theſe baſtions the duke of Vendoſme raiſed great batteries both of cannon and mortars, from which he fired ſo furiouſly upon the town, that he judged it could not hold out much

1697.

July 4.

1697. much longer. His conjecture proved true, for though the prince of Heſſe ſtill maintained himſelf on part of thoſe baſtions, and was reſolved to expect the laſt extremity in the caſtle; yet, the court being unwilling to ſuffer that city to be entirely ruined by the enemy, ſince, in all probability, it would ſoon be reſtored by the peace, orders were diſpatched to the prince to capitulate, which he did on very honourable conditions, after nine weeks vigorous reſiſtance; ſo that it remains undecided, whether the duke of Vendoſme gained more glory by taking, than the prince of Heſſe did by defending this place; for which ſervice he was, not long after, made viceroy of Catalonia. By this the French gained a great point. Hitherto the Spaniards, who contributed the leaſt towards carrying on the war, were the moſt backward to all overtures of peace. They had felt little of the miſeries of war, and thought themſelves out of its reach. But now, France being maſter of ſo important a place as Barcelona, which cut off all their communication with Italy, they became as earneſt for peace, as they had before been averſe to it.

Aug. 15.

Carthagena taken by Pointis.

Account of the taking Carthagena.

Nor was this all their danger: for monſieur de Pointis, having fitted out a ſquadron of men of war, at the charge of a company, erected by the French king's permiſſion, in order to ſeize the Spaniſh-plate-fleet, in the Weſt-Indies, ſet ſail from Breſt (though at that time a ſtrong Engliſh fleet was cruizing off that place) towards the beginning of this year, and in fifty-five days arrived before St. Domingo. Here he was conſiderably reinforced; and being alſo joined by the Buccaniers and freebooters in theſe parts, and finding, that the galleons were already got to the Havanna, where he could not attack them, he proceeded to put his deſign upon Carthagena in execution. He received no ſmall aſſiſtance in this project from one Venner, an Engliſhman, who had ſerved the Spaniards many years, and who drew for him ſeveral plans of that town; by which Pointis judged, that there was a neceſſity of poſſeſſing himſelf, upon his firſt arrival, of a conſiderable poſt, called Noſtra Signora de la Papa; otherwiſe the Spaniards would have an opportunity to carry off whatever they were deſirous to ſave. In order to this, Pointis, after concerting proper meaſures, went in a canoe to find a proper place for landing the men; but, to his ſurprize, the ſea ran ſo high, though the weather was calm, that there was no poſſibility of landing the boats; and was, himſelf, like to be drowned. Hence he learned, which was confirmed by the relation of the inhabitants, that the ſea, upon all this coaſt, in all ſeaſons, is a natural, invincible rampart; and that Carthagena

thagena is approachable only by the lake, which makes the harbour. Finding this attempt impracticable, he bent his efforts againſt the fort of Bocca Chica; of which, in a ſhort time, he made himſelf maſter, notwithſtanding the difficulties of approaching it, and the cowardice of the Buccaniers in his ſervice. The taking of this fort was ſoon followed by the ſurrender of that of St. Lazar; after which Carthagena itſelf was inveſted, both by ſea and land. The place was attacked and defended with a great deal of vigour; but, the Spaniſh ſuccours not coming in time, and all things being now ready for an aſſault, the garriſon thought fit to agree to a capitulation, whereby they were to march out through the breach, with all the uſual marks of honour, and four pieces of cannon: but, for the reſt, that all ſilver, without reſerve, ſhould belong to the conqueror; and that ſuch of the inhabitants, as ſtaid behind, ſhould enjoy all they had, excepting their plate. 1697.

In purſuance of theſe articles, the governor marched out of Carthagena, and Pointis entered it; but, though Pointis, according to the agreement, was to have all the ſilver, how to come at it, was no ſmall difficulty. At laſt, he bethought himſelf of an expedient, ordering it to be publiſhed, that he would give the tenth to the proprietors of whatſoever they honeſtly brought him, and a tenth to them, who ſhould inform him of any perſons, that concealed their effects; to which he added his threats of immediate puniſhment on thoſe who diſobeyed; which had the deſired effect upon the generality of the people. Neither were the churches and religious houſes ſpared, being robbed and rifled of ſeveral maſſy images of gold and ſilver, and other rich ornaments; though, after all, the booty fell much ſhort of Pointis's expectation; for, the town having taken the alarm, before his arrival, all the women, of any quality, with their jewels, the nuns, and an hundred and ten mules laden with gold, were gone a great way out of his reach; and how baſely ſoever the Buccaniers had ſerved him in the expedition, they had their aſſigned proportion of the ſpoil, with which, nevertheleſs, ſome of them were not ſatisfied [a]. Though the riches had been thus ſent May 6.

[a] Pointis ſays, in his account, that they got eight millions of crowns; and the king of France allowed a tenth of the firſt million, and a thirtieth of all the reſt; ſo of the eight millions, the ſhare of the Buccaniers did not amount to above forty thouſand; whereas they expected that the whole eight millions ſhould have been divided but into four parts, and they to have had one, as being a fourth of the army. Pointis's Account, p. 68.

1697. away; that they had found many millions of crowns there, which, at firſt, ſeemed incredible, and was afterwards known to be falſe; yet it was confidently aſſerted, at that time, to cover the reproach of having miſcarried in the attempt, on which they had raiſed great expectations, and to which many undertakers had been drawn in.

The French not thinking it adviſeable or poſſible to keep this place in their hands, ruined the fort of Bocca Chica, and put out to ſea, ſtanding for cape Tuberon; when an advice-boat from Petit Guaves informed them, that thirteen Engliſh men of war were arrived at Barbadoes, to look after them. This made Pointis alter his courſe for the ſtreights of Bahama till ſix at night, when he fell in with the Engliſh, who proved to be much ſtronger than he was informed, and who preſently took one of his fly-boats, on board of which there was a conſiderable quantity of ammunition and proviſion. While this was doing, half the Engliſh fleet, which were got within reach of the enemy, ſeemed to decline fighting, till the reſt, to the leeward, could come to the action; which gave the French an opportunity of getting before them. On the other hand, the advanced part of the Engliſh fleet having got the windward of the French, and within leſs than cannon-ſhot, Pointis, who ſaw the neceſſity of fighting, gave the ſignal for the engagement. But the Engliſh admiral, Nevill, reckoning there was no ſafety for the French, but to go before the wind for the ſtreights of Bahama, ſlackened his way, propoſing to get ſo much a-head of them, as to hinder their paſſage. Upon this the French, at the cloſing of the night, tacked about, and found the ſucceſs of their working the next day, for they could reckon no more than fourteen ſhips following them in a line, and thoſe not ſo high by far as the day before; which made the French continue the ſame road till they got within twenty leagues of Carthagena, and the next day got clear of the Engliſh fleet.

June 1.

April 17.

Pointis falls in with the Engliſh fleet, but eſcapes.

June 9.

Auguſt 4. Having made ſo narrow an eſcape, the French ſailed for Newfoundland, and watered at Conception-Bay. From hence they ſteered their courſe to that of St. John's, where lay a ſquadron of Engliſh ſhips under commodore Norris, which was ſent with ſome land forces to recover Hudſon's-Bay. Theſe ſhips might have fallen upon the French, and would probably have maſtered them, as they were now extremely weakened by ſickneſs: but, as Norris had no certain account of their ſtrength, and being ordered upon another ſervice, he did not think proper to hazard the attacking them; ſo they eſcaped this ſecond danger, as they did afterwards a third from

from ſix Engliſh men of war, that attacked them in their paſſage from thence into France, where they arrived on the 19th of Auguſt. This was, as they confeſſed, more than themſelves could have expected, conſidering the diſtreſs they were reduced to. On the other hand, not only admiral Nevill died in the Weſt-Indies, but moſt of the other commanders; ſo that of all the captains, who went out, only one returned; and ſuch a mortality had raged among the ſeamen, that there was ſcarce ſailors ſufficient to bring home the ſhips; and, as this ſquadron in the bay of Mexico did very little ſervice, except robbing and deſtroying ſome of the French colonies, ſo that, ſent to Hudſon's-Bay, found it quite abandoned by the French: ſo that both returned home inglorious. 1697.

Theſe things occaſioned the conduct of our affairs at ſea to be much cenſured: however, our admiralty declared themſelves ſatisfied with the account, which the commanders gave of their proceedings. But that board was accuſed of much partiality. On all ſuch occaſions the unfortunate muſt expect to be blamed, and to outward appearance, there was much room given, either to cenſure the orders, or the execution of them. The king, indeed, owned, that he did not underſtand thoſe matters; and admiral Ruſſel, now made earl of Orford, had both the admiralty and the navy-board in great dependance on himſelf; ſo that he was conſidered almoſt as much, as if he had been lord high-admiral. He was too much in the power of thoſe, in whom he confided, and truſted them too far; and it was generally believed, that there was much corruption, as it was certain there was much faction, if not treachery, in the conduct of the marine. Our miſcarriages made people cry, that we muſt have a peace, for we could not manage the war to any good purpoſe; ſince, notwithſtanding our great ſuperiority at ſea, the French conducted their matters ſo much better than we, that we were loſers, even in that element, where we uſed to triumph moſt. Remark on our ſea affairs.

The ſucceſſes of the French in Flanders, Catalonia, and the Weſt-Indies, would in all probability have made them ſole maſters of the peace, and given their ambaſſadors a fair occaſion to ſpeak the language of Nimeguen, had not their expectations from Poland been miſerably diſappointed, where a great change of affairs had happened this year. Their king John Sobieſki, after he had long outlived the fame he had got, by raiſing the ſiege of Vienna, died at laſt under a general contempt. He was going backwards and forwards, as his queen's negotiations in the court of France were entertained The election of a king of Poland.

1697. tertained or rejected: his government was ſo feeble and diſjointed at home, that all their dyets broke up upon preliminaries, before they could, according to their forms, enter upon buſineſs: he was ſet on heaping up wealth, which ſeemed neceſſary to give his ſon an intereſt in the ſucceeding election. And indeed, upon his death, a great party appeared for the prince, notwithſtanding the general averſion to the matter; ſo that he was thought to be the only competitor, that could oppoſe the prince of Conti's advancement to the throne. But the Abbé Polignac, who managed the French king's affairs in Poland, confidently aſſured him, that the prince of Conti would certainly carry the election, if he would but come thither in perſon, and ſend him a ſufficient ſum of money to bribe ſome palatines, who oppoſed the French intereſt. Upon this encouragement Conti ſet out for Poland; and great remittances were made to the Abbé Polignac, which he laviſhed away with much oſtentation. The Poliſh nobility had reſolved to make no haſte with the election, and plainly ſet the crown to ſale, encouraging all candidates, who would bid for it. Their primate, then a cardinal, was the head of the prince of Conti's party, while the emperor did all he could to ſupport the late king's ſon. But when he ſaw, that the French party was too ſtrong for him, he was willing to join with any other candidate. The duke of Lorrain, the prince of Baden, and don Livio Odeſchalchi, pope Innocent's nephew, were all named; but, theſe being not likely to ſucceed, a negotiation was ſecretly managed with the elector of Saxony, which ſucceeded ſo well, that he was prevailed on to change his religion, to advance his troops to the frontiers of Poland, to diſtribute eight millions of florins among the Poles, and to promiſe to confirm all their privileges, and in particular, to undertake the ſiege of Camenieck. He conſented to all this, and, at a time when he was not at all ſuſpected of having any thoughts of the crown of Poland, took a journey in the end of the ſpring to Vienna, under the pretence of ſettling matters in relation to the campaign in Hungary, where it was given out he would command the imperial army again this ſummer. But the event ſhewed, what his real deſign was, though it was carried on with great ſecreſy and addreſs; for all of a ſudden he left Vienna, and this was attended with various reports induſtriouſly ſpread abroad of ſome miſunderſtanding between the emperor and him, of which no body could aſſign a cauſe. But, when people ſaw the elector aſſemble a body of his troops, they entertained ſeveral ſuſpicions; and the Brandenburgers ſo far took

The elector of Saxony choſen, June 26.

took the alarm, as immediately to gather all the forces they could, to oppoſe any attempt, that might be made that way. The elector's ſudden march towards Sileſia and the frontiers of Poland, quickly occaſioned other ſpeculations; and he declared himſelf a candidate a very few days before the election, being ſupported by the imperialiſts in oppoſition to the French party. His party became quickly ſo ſtrong, that though, upon the firſt appearance at the election, while every one of the competitors was trying his ſtrength, the French party was the ſtrongeſt, and was declared by the cardinal primate, yet, when the other candidates ſaw, that they could not carry the election for themſelves, they united in oppoſition to the French intereſt, and gave over all their voices to the elector of Saxony, by which his party became much the ſtrongeſt, and he was proclaimed the elected king. The cardinal gave notice to the court of France of what had been done in favour of the prince of Conti, and deſired, that he might be ſent quickly thither, well furniſhed with arms and ammunition, but chiefly with money. But the party for the elector of Saxony made more diſpatch; he lay nearer, and had both his money and troops ready; ſo he took the oaths, that were required, and got the change of his religion atteſted by the imperial court. He made all the haſte he could with his army to Cracow, and was ſoon after crowned, to the great joy of the imperial party, but the inexpreſſible trouble of all his ſubjects in Saxony. The ſecular men there ſaw, that the ſupporting this elective crown would ruin his hereditary dominions; and thoſe, who laid the concerns of the proteſtant religion to heart, were much more troubled, when they ſaw that houſe, under whoſe protection their religion grew up at firſt, now fall off to popery. It is true, the preſent family, ever ſince Maurice's time, had ſhewn very little zeal in that cauſe. The elected king had ſo ſmall a ſhare of religion in himſelf, that little was to be expected from him; nor was it much apprehended, that he would become a bigot, or turn a perſecutor. But ſuch was the eagerneſs of the popiſh clergy towards the ſuppreſſing what they call hereſy, and the perpetual jealouſies, with which they would therefore poſſeſs the Poles, were like to be ſuch, in caſe he uſed no violence towards his Saxon ſubjects, as poſſibly might have great effects on him; ſo that it was no wonder, if they were ſtruck with a general conſternation upon his revolt. His electreſs, though a very young perſon, deſcended of the houſe of Brandenburg, expreſſed ſo extraordinary a meaſure of zeal and piety upon this occaſion, 1697.

1697. that it contributed much to the preſent quieting of their fears. The new king ſent a popiſh ſtadtholder to Dreſden, but ſo weak a man, that there was no reaſon to apprehend much from any conduct of his. He alſo ſent them all the aſſurances, that could be given in words, that he would make no change among them.

The czar travels to Holland, and England.

A very unuſual accident happened at this time, which ſerved not a little to his quiet eſtabliſhment on the throne of Poland. The Muſcovites, after they had been for ſome years under the divided monarchy of two brothers, or rather, of a ſiſter who governed in their names, by the death of one of the brothers, came under one czar. He entered into an alliance with the emperor, againſt the Turks; and Azoph, which was reckoned a ſtrong place, and commanded then the mouth of the Tanais or Donne, where it falls into the Palus-Meotis, after a long ſiege was taken by his army. This opened the Euxine ſea to him, ſo that, in caſe he was furniſhed with men ſkilled in the building and ſailing of ſhips, it appeared, that this might have conſequences, that would very much diſtreſs Conſtantinople; and, in the end, prove fatal to that empire. This was the ſtate of the affairs of Peter I. czar of Muſcovy, when, being ſenſible of the defects of his education, he reſolved, in order to correct them, and to qualify himſelf, for the great deſigns he was projecting, to go into the world, and be better informed. He intended to make a navigable canal between the Volga and the Tanais, by which he might carry both materials and proviſions for a fleet to Azoph; and, when that communication was opened, he apprehended, that great things might be done afterwards. He therefore intended to ſee the fleets of Holland and England, and to make himſelf as much maſter of that matter as his genius could riſe to. He ſent an embaſſy to Holland to regulate ſome matters of commerce, and to ſee if they would aſſiſt him in the war, which he was deſigning againſt the Turk. When the ambaſſadors were ſet out, he ſettled his affairs in ſuch hands, as he truſted to, and with a ſmall retinue of two or three ſervants ſecretly followed his ambaſſadors, and quickly overtook them. He diſcovered himſelf firſt to the elector of Brandenburg, who was then in Pruſſia, looking on the diſpute, that was like to ariſe in Poland, in which, if a war ſhould follow, he might be forced to have a ſhare. The czar intereſted himſelf greatly in the matter, not only by reaſon of the neighbourhood, but becauſe he feared, that, if the French party ſhould prevail, France being in an alliance with the Turk, a king ſent from thence would probably not only

only make a peace with the Turk, but turn his arms againſt himſelf, which would hinder all his deſigns for a great fleet. The French party was ſtrongeſt in Lithuania; therefore the czar ſent orders to his general, to bring a great army to the frontier of that duchy, to be ready to break into it, if a war ſhould begin in Poland; and it was ſaid, that the terror of this had a great effect. From Pruſſia the czar went into Holland, where, after his ambaſſadors had been admitted to an audience with the ſtates-general at the Hague, they had one of king William at Utrecht; which being over, the king and the czar met in a ſmall gallery, into which they entered both at the ſame time out of the adjoining rooms, and had a long conference together about the poſture of affairs, wherein the czar highly applauded the king's indefatigable endeavours, and conſtant aim to reduce France within its antient limits. 1697. Sept. 11.

From Holland the czar went over the next winter to England, where he ſtaid ſeveral months. Biſhop Burnet waited often on him; and was ordered, both by the king and the archbiſhop and biſhops, to attend him, and offer him ſuch informations of our religion and conſtitution, as he was willing to receive. As the biſhop had good interpreters, he had much free diſcourſe with him. He found him a man of a very hot temper, ſoon inflamed, and very brutal in his paſſion. He raiſed his natural heat by drinking much brandy, which he rectified himſelf with great application. He was ſubject to convulſive motions all over his body, with which his head ſeemed to be affected. He wanted not capacity, and had a larger ſhare of knowledge than might be expected from his education, which was but indifferent. A want of judgment, with an inſtability of temper, appeared in him too often and too evidently. He was mechanically turned, and ſeemed deſigned by nature rather to be a ſhip-carpenter than a great prince. This was his chief ſtudy and exerciſe, while he ſtaid in England. He wrought much with his own hands, and made all about him work at the models of ſhips. He told the biſhop, he deſigned a great fleet at Azoph to attack the Turkiſh empire; but he did not then ſeem capable of ſo great a deſign, though his conduct afterwards, in his wars, diſcovered a greater genius in him than appeared at this time. He was deſirous to underſtand our religion, but he did not ſeem diſpoſed to mend matters in Muſcovy. He was indeed reſolved to encourage learning, and to poliſh his people, by ſending ſome of them to travel into other countries, and to draw ſtrangers to come and live among them. Jan. 11. 1697-8.

1697-8. How far this character ſuited him will appear, when his actions come in courſe to be mentioned.

From England he went to Vienna, where he purpoſed to have ſtaid ſome time, but was called home, ſooner than he had intended, upon a diſcovery, or a ſuſpicion, of intrigues managed by his ſiſter; but the ſtrangers, to whom he truſted moſt, were ſo true to him, that thoſe deſigns were cruſhed before he came back. But on this occaſion he let looſe his natural fury on all whom he ſuſpected. Some hundreds were hanged all round Moſcow; and it was ſaid, that he cut off many heads with his own hand; and ſo far was he from relenting, or ſhewing any tenderneſs, that he ſeemed delighted with it. But, after this digreſſion, it is time to return to the election of Poland.

The prince of Conti ſails from Dunkirk.

A fleet was ordered at Dunkirk to carry the prince of Conti to Poland; but an Engliſh ſquadron, which lay before that port, kept him in for ſome time. At laſt he got out, and ſailed to Dantzick; but that city had declared for the new king, and therefore would not ſuffer him to land with all thoſe who came with him, and only conſented to ſuffer himſelf to land with a ſmall retinue. This he thought would not become him; and therefore landed at Marienburg, where he was met by ſome of the chief of his party, who preſſed him to diſtribute the money, which he had brought from France, among them, and promiſed to return quickly to him with a great force. But he was limited by his inſtructions, and would ſee a good force, before he would part with his treaſure. The new king ſent ſome troops to diſperſe thoſe who were coming together to ſerve him; and theſe had once almoſt ſeized on the prince himſelf. But he acted after that with great caution, and would not truſt the Poles. He ſaw no appearance of any force like to be brought to him, equal to the undertaking; and fearing, leſt, if he ſhould ſtay too long, he might be frozen up in the Baltic, he came back to Dunkirk. Notwithſtanding this, the cardinal primate ſtood out ſtill. The court of Rome rejoiced at the pretended converſion of the new king, and owned him; but he quickly ſaw ſuch a ſcene of difficulties, that he had reaſon to repent his embarking himſelf in ſuch a dangerous undertaking. However, his election had ſome influence in diſpoſing the French now to be more earneſt for a peace; for, if they had got a king of Poland in their dependence, that would have given them a great intereſt in the northern parts, with an eaſier acceſs both to aſſiſt the Turks and the malecontents in Hungary.

The

The news of this election was no small mortification to the French plenipotentiaries at Ryswick. But the treaty went on, and the French, who had daily conferences with the ministers of the states-general and others of the allies, renewed their offer of an equivalent for Luxemburg and Strasburg, which the Imperial and Spanish ambassadors still rejected. About this time, the Dutch plenipotentiaries complained aloud, and with some sort of indignation, of an unjust and false report, as if their masters had underhand concluded a peace with France; and, the better to prove their sincerity, they openly dissuaded the ministers of the allies from consenting to a truce. To this, however, the ministers were of themselves sufficiently averse, especially since the French had rejected the pretensions of the Imperialists and Spaniards, being unwilling to answer them before the confederates gave their opinions concerning the proposal, which France had made, that the plenipotentiaries of the allies should treat on the foundation laid on the 10th of February last, and advance no other points, besides those, that had already been mentioned. The imperialists made answer, that these articles were but preliminary ones, and not absolute; and that they were allowed of with this condition only, that, in case any point were found to be imperfect or faulty, the same should be amended by the succeeding treaties; and that they were desirous to know the answer of the French as to every point proposed by the emperor and his allies. The Spaniards were of opinion, that they ought to keep close to the points, that had been once agreed on; and that to do otherwise would only retard the negotiation: that, seeing the first preliminary point imported, that the treaties of Westphalia and Nimeguen should be the basis of this negotiation, according to the express consent of the king of France, it was consequently very evident, that those preliminary positions could not be the foundation of all pretensions, that the allies could have upon France. That, if the preceding treaties had no effect at all, it was to no purpose, that they had made choice of a place to confer in; that the mediation of the king of Sweden had been desired; and that passports had been granted. Upon this the French ambassadors dispatched a courier to their master, on whose part the propositions of a truce and a free trade were again offered, as being the first step towards a peace. But, these being still rejected, they now replied to the answers made by the imperialists and Spaniards, that they were so strictly limited to their instructions, that they durst not exceed or change any thing from the treaty of Nime-

1697-8.

The treaty of peace carried on.

1697-8. guen, as the baſis propoſed by the king their maſter; and that conſequently it was in vain for the allies to require any thing beyond the articles of that treaty. This reply was far from ſatisfying the allies, who gave the French to underſtand by the mediator, that, their laſt declaration being directly contrary to what had been fully regulated, and abſolutely agreed on in the preliminaries, it could have no other tendency, than to break off the treaty, or at leaſt to draw it into length. The mediator himſelf being of the ſame opinion, he laid the full pretenſions of the allies before the French plenipotentiaries, who gave him for anſwer, that the retarding the negotiation ought with more reaſon to be charged upon the allies, the laſt inſtrument, that had been preſented on the emperor's part, being conceived in ſuch articles, which they foreſaw France neither could nor ought to accept; and that the Spaniards, propoſing the Pyrenean treaty for the baſis of this, made the French inſiſt upon that of Nimeguen. To this the mediator replied, That he could not believe, that his moſt chriſtian majeſty was offended, that all the allies had joined together in the laſt anſwer, ſince that affair was common to them all: that they were of opinion, that France would have declared the ſame thing, were ſhe in the ſame condition, Spain found herſelf in, namely, that the peace of the Pyrenees ſhould be renewed in its full force. At the ſame time the allies offered it as their opinion, that, for the avoiding of theſe difficulties and diſputes, the French ſhould anſwer each of their propoſitions apart; which was at length agreed to.

The laſt inſtruments preſented by the imperialiſts were not pleaſing to divers of the allies, who pretended that they had other juſt complaints to make againſt France, in order to redreſs. The elector of Hanover's plenipotentiary inſiſting, that he ought to have a place in the aſſembly, as an electoral miniſter, occaſioned alſo ſome diſputes; which being left to the deciſion of the mediator, he gave it in favour of that plenipotentiary. Soon after the Imperialiſts and the French gave in, reſpectively, their projects of peace; but, all the articles of the French being drawn, word for word, from the treaty of Nimeguen, the ſame were rejected by the allies, as being too oppoſite to the intereſt of the empire; and, becauſe there was often mention made of the allies of France, it being well known, that ſhe had none in the war, unleſs the Turks were meant by it; it was inſiſted upon, that the French ſhould more fully explain themſelves, and give in a clearer plan. On the other hand, the French, in the beginning of July, re-

required the mediator to exhort the allies to avoid delays, and apply themſelves effectually to the terminating this tedious work. To this the mediator anſwered, That he did not ſee how the allies retarded the moving of thoſe obſtacles that lay in the way; but that theſe delays were occaſioned by the French themſelves, in ſending thoſe points, that were undecided to Paris, in order to conſult their maſter thereon. That the ſincere intentions of the allies were manifeſted from their having deſired, that the extraordinary days ſhould be appointed to hold their conferences, which the French on their part, had declined; and that the allies were not ignorant of the deſigns of the French court, who had nothing in view but the treaty of Nimeguen. As ſoon as the mediator had given an account of all this to the allies, they reſolved to conſult together daily, in order to find out a way to ſhorten their buſineſs; and, in the firſt conference, it was concluded, that the French ſhould anſwer to every point in difference, as propoſed by the allies; which, when the others came to know, they deſired to be informed, according to what manner the allies were willing to decide the firſt point, to the end that, having once ſeen the beginning of the treaty, they might be able to conjecture whether they had power enough to treat and conclude, without any further orders from their maſter. But the French, at the next meeting, inſiſted, that nothing could add a greater weight to the buſineſs, than to treat according to the peace of Nimeguen, and to change ſome articles therein, when there ſhould be occaſion. The mediator at the requeſt of the allies, replied, That they were not to treat according to the treaty of Nimeguen only, but alſo according to that of Weſtphalia, ſince both together had been reciprocally propoſed and accepted of in the preliminaries; and that, conſequently, the allies required, that the French ſhould form a project, according to thoſe two treaties; to which project the allies would promiſe a ſpeedy anſwer. The French required time to deliberate upon it; which, while they were doing, the imperial ambaſſadors promiſed to thoſe of the electors, that they would ſoon communicate to them all the articles, which they ſhould put forwards, to the end that all differences between them might be adjuſted. 1697-8.

After ſeveral conſultations, the French declared, That they had not ſufficient power to anſwer to the different propoſals of the imperialiſts; but that they would give in a project to the Spaniards, if they would accept of it, which the mediator acquainted the allies with; adding, that the French ſtill pretended, they had no other power to treat, than according

1697-8. cording to the treaty of Nimeguen. Whereupon the miniſters of the allies, in a particular conference, came to an unanimous reſolution, never to conſent to it, that treaty being contrary to the intereſts of almoſt all the princes and ſtates that ſent them. In the mean time the electoral miniſters could not well digeſt the propoſal of the Imperialiſts, that, in dignities and ceſſions, there ſhould be no regard had to any other, except the ambaſſadors of the higheſt characters; for they inſiſted, that they ought to be treated with upon an an equal foot with the reſt. Then the French declared, that they would uſe the plenipotentiaries of the electors in the ſame manner, as the emperor's miniſters did, and honour the reſt ſo, in all public affairs, as to give no occaſion of complaints. As to the main of the treaty, the Spaniards, at laſt, conſented that the French ſhould give in their plan; to which they would return an anſwer. This they were prevailed with to do, upon an aſſurance from the mediator, that the ſame ſhould be made up of the treaties of Weſtphalia and Nimeguen, he having told the French, that the articles, which they ſhould propoſe, ought to be regulated by thoſe two treaties; by default whereof no advance could be made in the negotiation. Whilſt the French miniſters were buſy about framing their plan, the elector of Brandenburg's plenipotentiary very earneſtly preſſed them to procure a full power to treat with him, in particular, ſince his maſter had formerly declared war againſt France; and the deputies of the circles of Swabia and Franconia inſiſted likewiſe, to have ſatisfaction made them by France, for the damages which they had ſuſtained, during the war; but all this to little purpoſe.

To quicken the ſlow advances of the treaty, the miniſters of Sweden and Denmark both declared to the French, That their maſters would be conſtrained to join their forces to thoſe of the allies, to cut off, by the ſword, all the unneceſſary difficulties, which France raiſed to protract the negotiations. The treaty, indeed, went on but ſlowly, till Harlay, the firſt of the French plenipotentiaries, came to the Hague; who, as was believed, had the ſecret. He ſhewed a fairer inclination, than had appeared in the others, to treat frankly and honourably, and to clear all difficulties that had been ſtarted before. So that the French, on the 20th of July, gave in their plan of peace, founded on the treaties of Weſtphalia and Nimeguen; the main articles of which, as to the empire, were, "An offer to make void ſeveral re-unions, made "on that ſide, by the chambers of Mentz and Beſançon, "and the ſovereign council of Briſac, ſince the treaty of "Nimeguen.

" Nimeguen. To reſtore the city of Straſburg, or to give 1697-8.
" as an equivalent for it, the city and caſtle of Friburg, and
" the towns of Briſac and Philipſburg, with the fort of Kiel,
" in the condition they were at preſent: To demoliſh the
" fortifications of Hunningen, on the other ſide of the Rhine.
" To reſtore Lorrain to the duke of that name, in the ſame
" manner as it was offered at the treaty of Nimeguen, that
" is, in the ſame condition it was poſſeſſed by Duke Charles
" in 1670, and the city of Nancy, upon certain conditions;
" with the demoliſhing of divers places, ſuch as Mont-Royal,
" Traerback, &c. As for the Spaniards, the French offered
" to give them the city and country of Luxemburg, and the
" country of Chinay, or, in lieu of them, ſome other places,
" hereafter to be named, for which there was a blank left
" in the plan. That all re-unions, ſince the treaty of Ni-
" meguen, ſhould be made void: That the city and caſtle of
" Dinant ſhould be delivered to the biſhop of Liege; and
" that all other places, taken on both ſides, during the war,
" ſhould likewiſe be reſtored." The Spaniards ſeemed, in the main, to be ſatisfied with the French conceſſions; but the imperial miniſters made a tedious, and, as ſome thought, an unreaſonable anſwer to the plan; which the French did not much regard, their chief aim being to ſatisfy the reſt, upon what terms they were willing to give them, in order to break the grand alliance, and by that means to preſerve part of their acquiſitions on the Rhine, ſince there was ſo little proſpect of having any thing elſewhere. After the delivery of the plan of peace, the king of France, finding much time ſpent to little purpoſe, by carrying on a treaty in writing, ordered his plenipotentiaries to agree to the propoſals, which the imperialiſts had made not long before, of treating by word of mouth; and though the 10th of September was the utmoſt the French would give, to accept their offers; yet it is remarkable, that, after their diſappointment in Poland, they began to be more tractable than before.

Upon the 17th of Auguſt, an extraordinary conference was held at Ryſwick, which laſted almoſt a whole day, and wherein the method agreed on of treating by word of mouth was firſt put in practice. Not many days after came the news of the taking of Barcelona by the French. This made the Spaniards very uneaſy and very preſſing to have the peace ſigned upon the conditions offered by France; and more eſpecially ſince, by the memorial given in to the mediator on the 1ſt of September, there had been an offer made to reſtore this place alſo to his catholic majeſty upon a ſlight conſideration

1697-8. ſideration of a few villages belonging to the chatellany of Aeth to be yielded to the French, for the conveniency of the trade of the inhabitants of Tournay. But the more condeſcending the French ſeemed to be towards the Spaniards, the ſtiffer they became with the empire, now poſitively inſiſting upon the keeping of Straſburg, and that the emperor ſhould reſt contented with the equivalent, which, they ſaid, would be more conſiderable to him, ſince he would have the intire ſovereignty of thoſe towns, that France quitted; whereas Straſburg, if reſtored, muſt have been ſet at its own liberty, as a free imperial city. If the imperialiſts were ſtartled at this new project, they were not leſs ſurprized at the ſhort time prefixed by France for their anſwer, which was the 20th of September; after which the French king would no longer be obliged to thoſe offers. This was ſtill the more mortifying to them, ſince they began now to be ſuperior in force to the French, and to act offenſively on the Rhine; not to mention their jealouſies, leſt ſome of the allies ſhould ſign a ſeparate peace, and leave them out; which occaſioned ſome heats between the confederates.

On the other hand, the French plenipotentiaries were amazed at the profound ſilence of the miniſters of the allies concerning their laſt memorial. But it ſeems the concluſion of the peace was to be owing to the ſame perſon, who had been the ſoul of the war, king William. For, while the negotiations at Ryſwick were going on very ſlowly, it was ſo managed, that the earl of Portland and marſhal Boufflers, when the confederate army was incamped near Bruſſels, and the French army not far from thence, met together four times, by the order of their maſters, and conferred long together [b]. At the laſt of theſe conferences, the two negotiators, after they had been ſome time in the open field, retired into an houſe in the ſuburb of Hall, where they had pen, ink, and paper, and in an hour adjuſted ſeveral points, which the plenipotentiaries at Ryſwick would not perhaps have agreed upon in a year. The chief ſubject of thoſe conferences was concerning king James. King William deſired to know, how the French king intended to diſpoſe of him, and how he could own him, and yet ſupport the other. The French king would not renounce the protecting him by any article of the treaty; but it was agreed between them, that the French king ſhould

[b] Some hiſtorians ſay, that the earl of Portland deſired marſhal Boufflers to confer with him; and others, particularly Burnet, ſay, that Boufflers deſired a conference with the earl of Portland.

give

give him no assistance, nor give king William any disturbance on his account; and that he should retire from the court of France, either to Avignon or to Italy. On the other hand, his queen should have fifty thousand pounds a year, which was her jointure, settled after his death; and that it should be now paid her, he being reckoned as dead to the nation. In this king William readily acquiesced. These meetings made the treaty go on with more dispatch, this tender point being once settled; and, on the 2d of August, the earl of Portland and marshal Boufflers signed the paper, which they had drawn up some days before; upon which the king left the army the next day, and went to Dieren, whence he dispatched the earl of Portland to the Hague, to acquaint the congress, "that, as for what concerned his majesty and his "his kingdoms, all matters were so adjusted with France, "that this would occasion no delay in the general peace; "and therefore he earnestly pressed the other allies, and par- "ticularly the emperor, to contribute all that in them lay "towards concluding so great a work." 1697-8.

The interviews between the earl of Portland and marshal Boufflers occasioned divers speculations. On the one hand the Jacobites, who, against all reason, flattered themselves, that though a treaty of peace was carried on at the king's own palace, yet he would be left out of it, saw by these conferences their hopes entirely baffled; and, on the other hand, a great many people, and even some of the king's best friends, began to suspect, that he had entered into a private agreement with the French king, in favour either of king James or his issue, upon account of king William's having the peaceful enjoyment of his dominions during life, and being acknowledged as king of Great Britain by his most christian majesty; which ill-grounded suspicion was three years after fully removed, by king William's effectual promoting the settlement in the protestant line. Deeper politicians went farther two years after, and pretended (as will hereafter be seen) that, in these conferences between the earl of Portland and marshal Boufflers, the first foundation was laid of the famous Treaty of Partition; and it is not improbable, but something of that kind was then proposed and considered.

The day appointed by France being come, when either peace or war was to determine the fate of Christendom, the English, Spanish, and Dutch plenipotentiaries, after a long conference with those of France, having adjusted all matters remaining in difference between any of them, respectively signed the treaty a little after midnight, and then complimented

The peace signed by England, Spain, and Holland. Sept. 20. N. S.

1697-8. mented each other upon the finiſhing of that important negotiation. The imperial and electoral plenipotentiaries, who, moſt of them, were all the while preſent in the hall, were ſo far from conſenting to what was done, that on the contrary, they required the mediator to enter a proteſtation, "That "this was the ſecond time, that a ſeparate peace had been "concluded with France, (meaning that of Nimeguen for "one) wherein the emperor and empire had been excluded; "and that the ſtates of the empire, who had been impoſed "upon through their own over-credulity, would not for the "future, be ſo eaſily perſuaded to enter into confederacies." The Spaniſh plenipotentiaries, and particularly Don Bernardo de Quiros, by way of excuſe, replied, that he had a long time been made acquainted with his catholic majeſty's pleaſure, not to delay the ſigning of the treaty, which had been agreed upon before; and, if he had obeyed thoſe orders, the French would not have taken Barcelona. But that, having deferred the concluſion of that treaty at the perſuaſion of the imperial miniſters, he had given the French time to make themſelves maſters of that important place; which ſucceſs emboldened their plenipotentiaries to change their language, and thereby he had himſelf run into the hazard of incurring his maſter's diſpleaſure.

King James's intereſts left unregarded. Mem. of the treaty of Ryſwick. I. 452.

All this while king James made but an indifferent figure in his melancholy retirement at St. Germain's. The French king's promiſe to him, and open declaration to all Europe, that he would never lay down arms till he had reſtored him to his throne, had raiſed this prince's hopes to a great height. But he found by ſad experience, how little the promiſes of ſovereigns are to be relied on, when their own intereſt comes in competition.

After a tedious war, dubiouſly maintained, the French king, being exhauſted both of men and money, thought it prudence to make peace, and reſtore to his neighbours all the conqueſts, which he had made upon them ſince the treaty of Nimeguen; which he was the more inclined to do, in hopes that, having diſarmed and broke the confederacy, he might recover all at the death of the king of Spain, who for many years had been in a declining ſtate of health, and who, at the concluſion of the peace of Ryſwick, was in ſo deſperate a condition, that the French court thought he could not live a month longer. On the other hand, the French king being ſenſible, that a treaty could not be ſet on foot, not only without owning king William, but alſo (as a conſequence of that acknowledgment) without abandoning king

James,

James, he did not even inſiſt, that a miniſter from him ſhould be admitted to the conferences at Ryſwick; which propoſal was unanimouſly rejected by the allies; nor would the French plenipotentiaries meddle with that prince's manifeſto. King James's expectation of the French king's protection being thus diſappointed, and he finding, that his pardons as well as his threats had no effect upon his former ſubjects, he was perſuaded to publiſh his manifeſto, containing, "A ſummary "account of the reaſons, that ſhould engage the confederate "catholic princes to promote his reſtoration, and a pro-"teſtation againſt what was done at Ryſwick as null, in "reſpect to the violation of his rights;" with another memorial to the ſame purpoſe, addreſſed to the proteſtant confederate princes and ſtates; of which manifeſtoes no notice was taken by any of the allies [c]. As to his friends in England, they 1698.

[c] They were anſwered in a piece, printed at London, 1705, in quarto, under the title of, A Memorial, drawn up by king William's ſpecial direction, intended to be given in at the treaty of Ryſwick, juſtifying the Revolution, and the courſe of his Government; in anſwer to two Memorials, that were offered there in king James's name. In the preface, we are informed, that, upon king James's preſenting his two memorials, it was thought neceſſary to prepare a memorial, in anſwer to them; which was intended to be given, in king William's name, to all the miniſters, that were then at the Hague. The memorial was, upon this, drawn up, by his majeſty's own direction, he explaining himſelf upon every particular; and the draught was examined by him, and, by his orders, carried to ſome of the worthieſt miniſters, that our nation produced in that age, and carefully reviſed and corrected by them. But, when it was reſolved to tranſlate it into Latin and French, in order to the communicating it, his majeſty had advice from the Hague, that king James's memorials were ſo little conſidered there, that the offering an anſwer to them would give them ſome credit; and that, without that, they had none at all. The draught was therefore ordered to be written over again, in another ſtyle; not in his majeſty's name, but as the anſwer of a private hand to thoſe memorials; and ſo to be printed. Yet, before this could be done, another advice came, to let the matter quite alone, and to leave thoſe memorials to ſleep in that neglect, under which they were fallen. The matter reſted upon this; but, theſe papers being drawn up by ſuch an authority, and containing ſuch a full, though ſhort, vindication of the revolution, it was afterwards thought proper to publiſh them. The anſwer to the firſt memorial to king James begins with obſerving: "That "the king of Great Britain does "not wonder to ſee a prince,

1698. they were ſo enraged to ſee him abandoned by the French king, that they could not forbear venting their bitter invectives

" who has, for ſo long a time, " ſought to take away his life, " in the blackeſt methods, endeavour, now, likewiſe, to " attack his honour, even in " the undecenteſt expreſſions; " of which the late memorial is " full. The late king, while " he was in Ireland, did, himſelf, concert with one Jones, " the way of murdering the " king. But, ſo tender was his " majeſty of the honour of a " perſon ſo nearly related to " him, that he gave order to " ſuppreſs that matter; though " the authentical proofs of it " are yet extant, in letters, and " other papers, taken in the late " earl of Tyrconnel's cabinet. " Grandval's confeſſion is well " known; and ſir John Fenwick " did lately claim merit, by his " diverting another deſign to " murder the king, purſuant to " a commiſſion, that, though it " was not come over, yet was " affirmed to be ſigned by the " late king. His having laid " the deſign of murdering the " king, a year ago, and his " having ſent over perſons, and " a commiſſion, to that effect, " have been ſo undeniably " proved, that all Europe is " ſtill full of horror at it. At " ſuch practices, heathens would " be aſhamed. The purſuing " them, year after year, deſerves " ſeverer words, than the king " thinks fit to uſe, even after " ſuch a provocation; ſuch re" gard is had to the high birth, " and the rank, which that " prince once held in the world. " The king had the leaſt reaſon " to have expected ſuch practices from the late king, becauſe, though he had [illegible] long in his power, and him no hurt, nor put him under " any reſtraint, [illegible] refuſed to " hearken to the advices that " many gave him, of ſecuring " his perſon, till a general peace " ſhould be made; or, at leaſt, " till Ireland ſhould be reduced. " Some, who offered thoſe advices, are now in the late " king's intereſt, and can, if " they pleaſe, inform him of the " truth of this matter. The late " king himſelf deſired to be attended by ſome of the Dutch " guards, when he went to " Rocheſter, and ſent to the " count de Solmes, to that effect; who immediately ordered it, without any direction from the king, who was " not then come to London. " When the king knew of it, " he ſent orders to thoſe guards " to wait about the late king, " in what manner he himſelf " ſhould command: And it was " viſible to thoſe, who were about him, at that time, that " he was all the while as much " maſter of himſelf, as when " he was ſerved by his own " guards." The whole progreſs of affairs, as they paſſed between his majeſty and king James, is laid open; and it is remarked, that king William " did not " come to England on deſign to " dethrone that king, but declaring a full purpoſe to leave " the care and ſettlement of the " nation

ſpectives againſt him, for which ſome of them were committed to priſon and fined, the ſame being a violation 1698.

" nation to the parliament. And, " when ſome lords were ſent to " him by the late king, to aſk " him, what it was, that he " propoſed, his anſwer was: " That he deſired, that the ad- " miniſtration of the govern- " ment might be brought into a " ſtate conformable to the laws " then in being; ſo that no per- " ſons, who were under legal " incapacities, might continue " in public offices or truſts; " and that a parliament might " be called, and ſit in full free- " dom, both armies being at an " equal diſtance from it; that " ſo proper remedies might be " applied to all the diſtempers, " into which thoſe violent coun- " ſels had thrown the nation. " By this, it appeared how firm- " ly the king had adhered to " his Declaration. During this " negotiation, and after the late " king had notice given him, " what the king's demands were, " he, upon reaſons beſt known " to himſelf, threw up all, and " abandoned the government, " and left his army looſe upon " the nation, and the rabble " upon the city of London, and " withdrew himſelf: By which " he did all that in him lay to " caſt theſe kingdoms into moſt " violent convulſions, and ex- " poſed even his own friends to " all the hardſhips, that might " have been apprehended from " enraged multitudes. For, if " the providence of God, and " the natural gentleneſs of the " people of England, had not " proved effectual reſtraints, this " nation had become a ſcene of " fire and blood; which the ene- " mies of this kingdom per- " ſuaded the late king to ven- " ture on, rather than to ſtay, " and ſuffer a parliament to en- " quire into the cauſes of the " miſeries the nation was fallen " under, and to ſecure their " religion and property. Upon " this, that part of the nation, " which had, till then, adhered " to the late king, finding them- " ſelves abandoned by him, de- " ſired, that the king would " aſſume the adminiſtration of " this forſaken government; " which he conſented to do, till " a convention of the ſtates " ſhould be brought together, " to give it a full and legal " ſanction. He did take a moſt " particular care, that the elec- " tions ſhould be carried on " with all poſſible freedom, not " only without violence and " threatenings, but even with- " out recommendations, or any " ſort of practice, how uſual, " and how innocent ſoever. " The like care ſecured their " liberty, when they met: " Every man argued and voted " in the great deliberations, then " on foot, both with freedom " and ſafety. Nor did the king " ſpeak to any perſon, or ſuffer " any to ſpeak in his name, to " perſuade, much leſs to threat- " en thoſe, who ſeemed ſtill to " adhere to the late king's in- " tereſt. So ſtrict was he in ob- " ſerving the promiſes he had " made in his Declarations. It " was thought a remiſſneſs, and

1698. tion of the late treaty between the crowns of En[illegible] France [d].

" a hazarding the pub'ic too " much, to interpoſe or move " ſo little in thoſe matters, as " he then did. The Conven- " tion came to a full reſolution, " and judged, that the late king " had broke the original con- " tract, upon which this go- " vernment was at firſt founded, " and after that, had abandon- " ed it; ſo that it was neceſſary " for them, being thus for- " ſaken by him, to ſee to their " own ſecurity. And, as they " judged, that the late king's " right to govern them was " ſunk, ſo they did not think " it was neceſſary or incum- " bent on them to examine " that, which the whole nation, " in general, as well as the king, " in particular, had juſt reaſon " to call in queſtion, concern- " ing the birth of the pretend- " ed prince of Wales. When " the late king had quite diſ- " ſolved the tie of the nation to " himſelf, they thought they " had no further concern upon " them to inquire into that mat- " ter; and therefore they " thought it fit to let it remain " in that juſt doubtfulneſs, un- " der which the late king's own " method of proceedings had " brought it. Beſides that, a " particular care had been ta- " ken by the late king, to cauſe " all thoſe, who had been in " the management of that mat- " ter, or were ſuſpected of hav- " ing a ſhare in the artifices a- " bout it, to be carried over in- " to France; ſo that it was not " poſſible to come at thoſe per- " ſons, by the inter[illegible] " whom, truth [illegible] " found out. " preſſed no am[illegible] " mounting th[illegible] " addreſſes of [illegible] " the ſtate [illegible] " ſeemed d[illegible] " mighty ſt[illegible] " determi[illegible] " ter. B[illegible] " to God [illegible] " intention[illegible] " them, ſo he has an infinite " number of witneſſes, who ſaw " and can juſt ſy his whole con- " duct in the progreſs of that re- " volution, if it were fit for " him to appeal to them."

In the anſwer to the ſecond memorial of king James, it is obſerved in juſtification of the revolution, that, " nothing was " done in the progreſs of it, but " that, which he made inevi- " table by ſome act or other of " his own. It went not upon " falſe ſuggeſtions, nor barely up- " on the pretences of redreſſing " particular grievances, or ſome " doubtful oppreſſions, much " leſs on the ambitious deſigns " of his majeſty, that are ſo " often and ſo maliciouſly re- " preſented as the true cauſes of " the revolution. It was the " late king's open throwing off " the reſtraint of law, and his " ſetting about a total ſubver- " ſion of the conſtitution, that " drove the nation to extreme " courſes. The oaths of alle- " giance can be underſtood only " in the ſenſe limited by law, " and ſo they cannot be conceiv-

" ed

The Jacobites were the more confounded at the news of it, becauſe the court of France did, to the laſt minute, aſſure king James, that they would never abandon his intereſts: And his queen ſent over aſſurances to their party here, that England would be left out of the treaty, and put to maintain the war alone: Of which they were ſo confident, that they entered into deep wagers upon it; a practice little known among us before the war, but it was carried on, in the progreſs of it, to a very extravagant degree; ſo that they were ruined in their fortunes, as well as ſunk in their expectations, by the peace; upon which it was ſaid, king James's queen made a bold repartee to the French king, when he told her the peace was ſigned: She ſaid, ſhe wiſhed it might be ſuch, as ſhould raiſe his glory, as much as it might ſettle his repoſe. 1697.

The moſt melancholy part of this treaty was, that no advantages were gained by it in favour of the proteſtants of

Nothing done by the treaty in favour of the French proteſtants.

" ed to bind ſubjects to a king, " who would not govern them " any longer, unleſs he might " be allowed to do it againſt " law. A revolution ſo brought " about, carries in it no pre- " cedent againſt the ſecurity of " government, or the peace of " mankind. That, which an " abſolute neceſſity inforced at " one time can be no warrant " for irregular proceedings at " any other time, unleſs it be " where the like neceſſity ſhall " require the like remedies. " But, ſince the late king thinks " fit to reflect on the oaths of " ſubjects, he ought alſo to re- " member the oath, which he " himſelf ſwore at his corona- " tion to defend the church of " England, and to maintain the " laws; to neither of which " he ſhewed any regard in his " whole government, but ſet " himſelf to overturn both. " The many alterations, that " have been made in the ſuc- " ceſſion to the crown of Eng- " land, upon occaſions, that " were neither ſo preſſing nor " ſo important as thoſe of late " were, ſhould have obliged " thoſe, who penned this me- " morial, to be more reſerved " and leſs poſitive in affirming " things ſo contrary to the " known hiſtory of this king- " dom. Theſe revolutions were " confirmed by laws, which " were not afterwards upon ſuc- " ceeding changes repealed, for " they continue ſtill in force; " nor was the crown of Eng- " land ever reckoned to be ſuch " a property to thoſe, who held " it, that they might uſe it, or " diſpoſe of it at pleaſure, as " the memorial ſeems to ſup- " poſe."

[d] Particularly Tom Brown, upon which the Lord Dorſet wrote thoſe rhimes:

If you order Tom Brown
To be whipp'd thro' the town,
Tate, Southern, and Crown
Their peas will lay down, &c.

1697. France, who were refugees in England, Ger[illegible] land. King William having, on all occasion[illegible] self their protector, they expected, that he [illegible] their deliverer, and never conclude a pe[illegible] without obliging their sovereign to restore [illegible] estates, and the free exercise of their relig[illegible] country. Upon this presumption several [illegible] held in London by the French ministers, [illegible] siderable persons among the refugees the[illegible] debated, in what method they should ma[illegible] to the plenipotentiaries at Ryswick, an[illegible] they should agree to their restoration, [illegible] them looked upon as certain. The resu[illegible] being transmitted to monsieur Jurieu, th[illegible] refugees in Holland, he, with his usual [illegible] cause, addressed himself to king Willia[illegible] Dutch plenipotentiaries to open that matter at a [illegible] to the French ambassadors. The Dutch ministers followed the king's orders; but the French king, to whom this overture was communicated, expressing an insuperable averseness to it, and urging, that, as he did not pretend to prescribe to king William any rules about his subjects, so he expected the same liberty as to his own, which he looked upon as the great prerogative of a sovereign; the matter was no farther insisted upon. As the case of the French protestants was no part of the cause of the war, so it did not appear, that the allies could do more for them than thus recommend them to the French king, who was so far engaged in a course of superstition and cruelty, that the condition of the French protestants became worse by the peace; the court being more at leisure to look after them, and to persecute them, than they thought fit to do, during the war.

Truce between the empire and France.

Though the Imperialists were not a little concerned at the proceeding of their allies, yet they thought it advisable to agree to a cessation of arms; and expresses were immediately dispatched to the respective armies upon the Rhine, to discontinue all acts of hostility. However, before prince Lewis of Baden had notice of it, he had made himself master of the castle of Eberenburg, and was preparing to lay siege to Kirm. But what was still more mortifying to the imperial ministers, was, that advice had not come a few days sooner, of the great victory obtained at Zenta over the Turks, by the emperor's forces, which would, in all probability, have made Spain and the rest less eager to sign the

Sept. 11.

the peace, and the French less stiff with regard to the Im- 1697.
perialists. This victory was obtained by prince Eugene of Savoy, who commanded the imperial army in Hungary. He was a brother of the count de Soissons, who, apprehending that he was not like to be so much considered, as he thought he might deserve in France, went and served the emperor, and grew up, in a few years, to be one of the greatest generals of the age.

The grand seignior came to command his armies in person, and lay incamped on both sides of the Theisse, having laid a bridge over the river; prince Eugene marched up to him, and attacked his camp, on the west side of the river, and, after a short dispute, he broke in and was master of the camp, and forced all, who lay on that side, over the river; in this action many were killed and drowned; he followed them cross the Theisse, and gave them a total defeat: most of their janizaries were cut off, and the prince became master of all their artillery and magazines: the grand seignior himself narrowly escaped, with a body of horse, to Belgrade; this was a compleat victory, and was the greatest blow the Turks had received, in the whole war. At the same time, the Czar was very successful on his side against the Tartarians. The Venetians did little on their part; and the confusions in Poland made that republic but a feeble ally: so that the weight of the war lay wholly on the emperor. But though he, being now delivered from the war with France, was more at leisure to prosecute this, yet his revenue was so exhausted, that he was willing to suffer a treaty to be carried on, by the mediation of England and Holland; and, the French being now no longer concerned to engage the Porte to carry on the war, the grand seignior, fearing a revolution upon his ill success, was very glad to hearken to a treaty, which was carried on all this winter, and was finished the next year at Carlowitz, from which place it takes its name. The battle of Zenta. Burnet.

Not many days after the conclusion of the truce between the empire and France, several ambassadors of the allies waited upon king William at Loo, where it was consulted what precautionary measures could be taken to prevent the violation of the peace lately concluded; and it was whispered, that an offensive and defensive alliance was entered into, or rather renewed, between the confederates. Now the ambassadors of the empire happening to complain again, how much they were wronged by a precipitate treaty, they were answered, that they ought to impute it to themselves, The treaty between France and the empire carried on.

1697. as having been often adviſed to put in their
——— out delay, and not to retard the negotiation;
ſhould not have flattered themſelves, that
terms could have been obtained, ſince the
ſiſted upon the firſt, from which they
The Imperialiſts, ſeeing their expoſtulat
bent their thoughts upon adjuſting the
controverſy with France. The princi
to be about Straſburg; and, ſince th
the reſtoration of it, they inſiſted
for it ſomewhat enlarged; as alſo
all the places taken by France on th
of Nimeguen, ſhould be yielded up
to the duke of Lorrain. But the
anſwered, that they had no pow
and therefore could by no means comply
mands.

The treaty ſigned by the emperor and empire. Oct. 30.

At length, the emperor conſidering that Briſac and Friburg (the equivalent offered by the French for Straſburg) were places belonging to his hereditary dominions, conſented to the exchange; and all other matters being concerted, and the German princes finding they could ſtruggle no longer, the treaty was ſigned by all, two days before the time limited by France was expired.

The affairs of the proteſtants neglected, Mem. of the treaty of Ryſ. Vol. IV.

A new piece of treachery againſt the proteſtant religion broke out, in the concluſion of all. The ambaſſadors of the proteſtant princes being met together, at houſe of the elector of Mentz's plenipotentiary, they named four deputies, who delivered a memorial to the mediator; wherein they demanded, that at Straſburg, and other cities of Alſatia, which belonged to France, the Lutheran religion ſhould be tolerated, and enjoy all thoſe rights and immunities, as in the year 1624. To this the French demanded eight days to anſwer. But, what miſunderſtanding ſoever there might be, between the French and imperial plenipotentiaries, as to other points, they agreed, or rather combined together, to have a clauſe inſerted, in the VIth article of the treaty between the Empire and France, that the roman catholic religion, in the places to be delivered up, ſhould remain in the ſame ſtate, in which it was at that time, without any notice taken of the proteſtants. By this means ſeveral churches were to be condemned, that otherwiſe, according to the laws of the empire, and in particular of thoſe dominions, were to be reſtored to the proteſtants. The elector palatine accepted of this condition very willingly, be-

being bigotted to a high degree: but ſome of the princes, 1697.
the king of Sweden in particular, as duke of Deux-ponts, refuſed to ſubmit to it: and a ſtrong declaration was publiſhed by the miniſters of the proteſtant princes againſt this proceeding, as contrary to the laws of the empire, to the peace of religion, in 1555; to the treaty of Weſtphalia, and to the preliminaries of the preſent treaty of Ryſwick. But it was all in vain, for this affair had been ſecretly concerted among the whole popiſh party, who are always firm to the intereſts of their religion, and zealous for them; whereas the proteſtant courts are too ready to ſacrifice the common intereſt of their religion to their own private advantage. King William was troubled at this treacherous motion; but he ſaw no inclination in any of the allies to oppoſe it with zeal, with which it was preſſed on the other hand. The importance of the thing, ſixteen churches only being condemned by it, was not ſuch, as to deſerve, that he ſhould venture a rupture upon it. And it was thought, the elector palatine might, on other accounts, be ſo obnoxious to the proteſtants, and need their aſſiſtance and protection ſo much, that he would be obliged afterwards to reſtore theſe churches thus wreſted from them. The king therefore contented himſelf with ordering his plenipotentiaries to proteſt againſt this, which they did in a formal act, that they paſſed.

By this peace king William concluded the great deſign of putting a ſtop to the progreſs of the French arms, which he had conſtantly purſued from his firſt appearance on the ſtage in the year 1672. There was not one of the allies, who complained, that he had been forgot by him, or wronged in the treaty; nor had the deſire of having his title univerſally acknowledged raiſed any impatience in him, or made him run into this peace with any indecent haſte. The terms of it were indeed ſtill too much to the advantage of France; but the length and charge of the war had ſo exhauſted the allies, that the king ſaw the neceſſity of accepting the beſt conditions, that could be got. It is true, France was more harraſſed by the war, yet the arbitrary frame of that government made their king the maſter of the whole wealth of his people; and the war was managed on both ſides between them and us, with this viſible difference, that every man, who dealt with the French king, was ruined by it; whereas, among us, every man grew rich by his dealings with the king; and it was not eaſy to ſee, how this could be either prevented or puniſhed. The

Reflections on the peace.

1697. regard, that is ſhewn to members of parliament
makes, that few abuſes can be enquired into
and the king found his reign grow ſo una
pe ple by the continuance of the war, tha
ceſſity of coming to a peace. The St
under the ſame preſſure; they were he
ſuffered more by the war than the Fr
got indeed nothing by a war, which
fidiouſly begun. They were forced
of Nimeguen; Pignerol and Ba
lieu had conſidered as the keys of
now parted with. And all that
much, under the head of re-uni
abandoned. The duchy of Lorrain
reſtored. It was generally thought, that the
intended to live out the reſt of his days in quiet
parting with Barcelona made all people conclude, that he did not intend to proſecute the Dauphin's pretenſions upon the crown of Spain after that king's death by a new war; and that he would only try how to manage it by negotiation. The military men in France generally complained of the peace as diſhonourable and baſe; and the whole nation, not entering into the views of their monarch, were ſo little pleaſed with it, that they made very ſevere reflections on Meſſieurs Harlay, Crecy, and Callieres, their plenipotentiaries, whom they traduced in their Lampoons, which were publicly ſung in Paris, and all over the kingdom of France: whilſt the courage, reſolution, and wiſdom of king William, to which the accompliſhment of that peace was owing, were every where celebrated.

The king returns to England. Burnet.

The king, having regulated with the States-general the number of forces, which they thought neceſſary to be kept on foot the next year, embarked for England, on the 13th of November, and the next morning ſafely landed at Margate, and on the 15th, lay at Greenwich. The day following, he was received by the city of London, in a ſort of triumph, with all the magnificence that he would admit. Some progreſs was made in preparing triumphal arches, but he put a ſtop to it. He ſeemed, by a natural modeſty, to have contracted an antipathy to all vain ſhews; which was much increaſed in him by what he had heard of the groſs exceſſes of flattery, to which the French had run, beyond the examples of former reigns, in honour of their king, who having ſhewn too great a pleaſure in theſe, they had been ſo far purſued, that the wit of that nation was, for many

years,

1697.

...rs, chiefly employed in them; for they ſaw, that mens fortunes were more certainly advanced by a new and lively invention in that way, than by any ſervice or merit whatſoever. This, in which the French king ſeemed to be too much pleaſed, rendering him contemptible to better judges, gave king William ſuch an averſion to every thing that looked that way, that he ſcarce bore even with things that were decent and proper.

During the negotiations of peace, eſpecially towards the concluſion of them, the diſcourſe in England was general, what ſhould be done with the army, when the war was over, and almoſt as general was the opinion, that it ſhould be diſbanded. As the king was but too ſenſible how the generality ſtood affected to the keeping up an army, he ordered many of his troops to be diſbanded, and others to be ſent into Ireland, ſoon after the peace [e]. But, perceiving that the French

Conſultations about a ſtanding army.

[e] This was done, purſuant to a plan propoſed by the earl of Galway, as appears from an original letter, written with the king's own hand to that earl.

Loo, Oct. 18, 1697.

The peace being now made and ratified, it muſt be conſidered, what forces to keep on foot. I much approve the project you ſent me, of keeping in Ireland twenty battalions of infantry, four regiments of dragoons, and eighteen troops of horſe, and reducing the pay of the officers. I have imparted this project to none but lord Portland, whom I am going to ſend to England, and with whom you muſt correſpond about this matter, and let me know what public orders will be neceſſary to be given for the execution of this affair. My deſign is, to diſband moſt of the regiments of foot, and dragoons, now in Ireland; and to ſend thither ſome of thoſe that are in Flanders. I alſo intend to ſend thither your regiment of horſe, and the three French regiments of foot, incorporating ſome officers, who have ſerved in Piedmont, of the four regiments which are on the Rhine, and which I am going to reform, and to take all the French proteſtant ſoldiers, and put them into the three above mentioned regiments. Be always aſſured of the continuation of my friendſhip. W. R.

I think to reduce Wolſeley's regiment to three troops, and yours to ſix, to remove all jealouſy in England.

This letter, and ſeveral others, written in French with the king's own hand (which will all be inſerted in their proper places) are now in the hands of the author, and were found among Mr. Addiſon's papers after his death.

About five weeks after, the king writ the following letter to the earl of Galway.

Ken-

1697. French were very ſlow in evacuating [illegible] that were to be reſtored by the treaty, and [illegible] beginning to reduce their forces, he put [illegible] diſbanding; and though he declared what he [illegible] yet he made no haſte to execute it, till it ſhould [illegible] the French intended to govern themſelves. [illegible] it was abſolutely neceſſary, to keep up a [illegible] force: He knew the French would ſtill [illegible] mies; and that the pretended prince of [illegible] tainly be aſſiſted by them, if England [illegible] feeble and defenceleſs condition: the king [illegible] alſo in ſuch an uncertain ſtate of health, [illegible] hauſted, that it ſeemed neceſſary, that [illegible] a condition to bar France's invading [illegible] maintain the rights of the houſe of Auſtria. But, though he explained himſelf thus in general to his miniſters, yet he would not deſcend to particulars, to tell how many he thought neceſſary; ſo that they had not authority to declare, what was the loweſt number the king inſiſted on.

The matter argued on both ſides.

Papers were writ on both ſides, for, and againſt a ſtanding force [f]: on the one hand, it was pretended, that a ſtanding army

Kenſington, Nov. 26, 1697.

I refer you to what lord Portland will write to you about the forces, by which you will learn my intentions. I aſſure you, I am very much troubled to find things here run ſo high againſt the poor refugees. This has ſtruck me; but you know, theſe ſorts of things paſs here very eaſily. Be ever aſſured of my eſteem. W. R.

I hope you'll be able to put an end very ſoon to the parliament of Ireland.

[f] Particularly the following ones. An argument ſhewing, that a ſtanding army is inconſiſtent with a free government, and abſolutely deſtructive to the conſtitution of the Engliſh monarchy. Mr. Trenchard was thought to have the chief hand in this piece, which was printed in 1697, in 4to.

The ſecond part of an argument ſhewing, that a ſtanding army is inconſiſtent with a free government, and abſolutely deſtructive to the conſtitution of the Engliſh monarchy. With remarks on the late publiſhed liſt of king James's Iriſh forces in France. Printed in 1697, in 4to.

A letter balancing the neceſſity of keeping a land force, in times of peace, with the dangers, that may follow on it. Printed in 1697, in 4to. This piece has been generally aſcribed to the lord Sommers, but it is doubtful, whether upon ſufficient grounds. It is one of the beſt tracts, which were written on that ſide of the queſtion. The author begins with declaring, that he is far from the thought

army was incompatible with public liberty, and, according to the examples of former times, the one muſt ſwallow up the 1697.

thought of a ſtanding army; but the caſe at that time was, "Whether, conſidering "the circumſtances, that we "and our neighbours are now "in, it may not be both pru- "dent and neceſſary for us to "keep up a reaſonable force "from year to year; the ſtate "of affairs both at home and "abroad being every year to "be conſidered in parliament, "that ſo any ſuch force may be "either increaſed, leſſened, or "quite laid aſide, as they ſhall "ſee cauſe. If, ſays he, we "were in the ſame condition, "in which we and our neigh- "bours were an age ago, I "ſhould reject the propoſition "with horror. But the caſe "is altered; the whole world, "more particularly our neigh- "bours, have now got into the "miſtaken notion of keeping "up a mighty force; and the "powerfulleſt of all theſe hap- "pens to be our next neigh- "bour, who will very probably "keep great armies; and we "may appear too inviting, if "we are in ſuch an open and "unguarded condition, that the "ſucceſs of the attempt may "ſeem to be not only probable, "but certain. England is an "open country, full of plenty, "every where able to ſubſiſt an "army; our towns and cities "are all open, our rivers are all "fordable; no paſſes nor "ſtrong places can ſtop an ene- "my, that ſhould land upon "us; ſo that the whole nation "lies open to any army, that "ſhould once come into it."

To this it might be anſwered, "Can any army be brought to- "gether, with a fleet to bring it "over, and we know nothing "of it? Theſe things require "time, and we cannot be ſup- "poſed ſo deſtitute of intelli- "gence, as not to know of "ſuch preparations. In ſuch "a caſe our fleet will cover us, "while our militia may be ex- "erciſed, and marched where "the danger is apprehended." "This, replies the author, "may ſeem plauſible, and will "no doubt work on ſuch, as "do not conſider things with "the attention, that is neceſ- "ſary. But do we not remem- "ber, that we were lately twice "almoſt ſurprized; once from "la Hogue, and again from "Calais? We muſt not expect, "that God will always work "miracles for us, if we were "wanting to ourſelves. If, in "a time of war and jealouſy, "we were ſo near the being "fatally over-run, without ei- "ther warning or intelligence; "it is much more poſſible to "ſee ſuch deſigns laid in a time "of ſloth and quiet, when we "are under no fears nor ap- "prehenſions; and this may "be ſo managed, that the no- "tice we may have of it may "come too late for us to be able "to prevent or reſiſt it. And "what will our intelligence "ſignify, if we are in no con- "dition, either to hinder the "deſcent, or to withſtand the "force, that may be ſent a- "gainſt us? Abſolute govern- "ments, where all depends on

"the

1697. the other: It was propoſed, that the militia ——— modelled, and more trained; which, with

" the will of the prince, and " where men are ruined, who " fail either in performing what " is expected from them, or " in keeping the ſecrecy, that " is injoined them, can both " contrive and execute things " in another manner, than can " be conceived by thoſe, who " have the happineſs to live in " free governments. Troops " may have ſuch orders for " marches and counter-marches, " that thoſe, who are on the " place, ſhall not be able to " judge what is intended, till " it is not poſſible to hinder it. " Croſs winds may make this " come yet later to thoſe, who " have a ſea between them. " Orders may be given to ma- " ny different perſons in many " different places, who ſhall " know nothing of one another " till they meet in a general " rendezvous. It is true, we " muſt ſuppoſe, that we ſhall " have good fleets abroad; but " one would not put ſo great a " thing as the ſafety of a nation " to ſuch a hazard, nor depend " upon a ſingle ſecurity, when " that is liable to accidents. " The ſame wind, that may " bring over a fleet and army to " invade us, may keep our " ſhips in port, ſo that it ſhall " not be poſſible for them to " look out; or, if they ſhould " have a favourable minute to " get out, it may ſo ſhatter them, " that they ſhall not be able to " defend either our ſeas or ports. " This may well be ſuppoſed, " for it really happened, when

" the king la
" land: the
" a powerful
" could have
" would ha
" too hard fo
" conſidering
" that they
" Eaſt-wind
" the king
" river, till
" ſed them
" got out,
" ſhattered them ſo, that, with-
" out being able to come to
" any action, they were laid up.
" And would any man hazard
" the nation upon ſuch a con-
" tingency." The author then conſiders the laſt thing in reſerve, which is our Militia; and obſerves, " the difference " there is between troops, that " have been long trained, who " have learned the art, and are " accuſtomed to the diſcipline " of war, and the beſt bodies " of raw and undiſciplined " multitudes. The whole me- " thod of war is now ſuch, " that diſciplined troops muſt " prove a very unequal match " to much greater numbers of " men, who yet perhaps, upon " half their practice, might " prove too hard for them. I " know it will be urged, that " our militia may be ſo trained " and modelled, as to be made " more capable of ſervice than " perhaps they are at preſent. " This is a work of time, a " project, that depends upon " ſo many particulars, and may " be ſubject to ſo many ſlips

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force, ſome thought, would be an effectual ſecurity againſt foreign invaſions, as well as it would maintain our laws and li- 1697.

" in the execution, that it muſt " be confeſſed a nation is much " expoſed, if its ſafety and " preſervation muſt depend up- " on ſuch uncertainties. We " have ſeen, that have paſſed " through a long apprentice- " ſhip, and at our coſt have " learned that unhappy trade, " which is now become ſo uni- " verſal, that it is thereby made " neceſſary. We muſt either " be preſerved by it, or periſh " by it. Many gallant gen- " tlemen have broke the courſe " of their ſtudies, and the other " methods of life they were in: " it will not only be a hardſhip " put upon them, but it will be " the rendering ourſelves nak- " ed and defenceleſs, if, after " all the reputation, that we " have riſen to in war, we " ſhould ſink into an unbe- " coming remiſſneſs in peace, " and, upon the remote and " uncertain fears of danger, " that will probably never hap- " pen, expoſe ourſelves to thoſe, " which we may certainly look " for, as ſoon as we have put " ourſelves out of a capacity of " reſiſting them." He then proceeds to the laſt and ſtrongeſt objection, which is, that this force will grow upon us, and continue among us, and have ſuch an influence within doors, that it will maintain itſelf in the houſe of commons; or, if that ſhould fail, it will turn them out of doors, and quickly find ways to ſubſiſt, to grow upon the ruins of liberty and property. " This, replied he, " is a large field, and hiſtory " is ſo full of inſtances this way, " that it will be eaſy to open " copiouſly on the ſubject. " From the Prætorian cohorts " down to our modern armies, " enough can be gathered to " give a very frightful repre- " ſentation of a ſtanding army. " Who doubts it? But all the " rhetoric, that this head will " afford, is wrong applied in " this caſe. It is not to be " ſuppoſed, but that once a " year a parliament muſt have " this matter a-freſh under con- " ſideration. They will ſee how " the ſtate of affairs varies ei- " ther at home or abroad; and " whether the forces are brought " under ſuch a management, " that there is juſt cauſe of jea- " louſy. And I leave it to you " to judge, whether it is poſſi- " ble in ſo ſhort a time ſo to " model and influence it, as to " prepare them to invade their " country, and to deſtroy our " conſtitution. What Cæſar, " with all his genius, could not " work his arm to, but, after " ten years conduct and ſucceſs, " can give ſmall encourage- " ment to others to attempt to " bring about in one year. " Perhaps you are more afraid " of a ſecret influence than of " open violence from them. " The ſhort of this is, you are " afraid the houſe will be cor- " rupted. I confeſs it is hard to " anſwer this: jealouſy is ſtub- " born and incurable; melan- " choly,

1697. liberties at home. On the other ſide, it was [illegible] ſince all our neighbours were armed, and the [illegible] dable of them all kept up ſuch a mighty force,

" choly, when it grows to be a " diſeaſe, raiſes many imagina- " ry fears. They, who are " haunted with that ſullen hu- " mour, neither know what " they are afraid of, nor why. " Poſſible accidents are ever be- " fore them; and the thinking " of theſe perpetually ruins " their health, ſours their hu- " mour, and makes them ne- " glect all their preſent and " certain concerns, while they " are ever dreaming of what " will probably never happen. " We muſt conſider our preſent " danger, and the likelieſt ways " of ſecuring ourſelves from it, " without amuſing ourſelves " with what may poſſibly be " brought about at ſome diſ- " tance of time. Our repre- " ſentatives do well to ſecure " our conſtitution by the moſt " effectual means they can think " of; but, after all, we muſt " truſt England to an houſe of " commons, that is, to itſelf. " Whenever the fatal time " comes, that this nation grows " weary of liberty, and has " neither the virtue, the wiſ- " dom, nor the force to pre- " ſerve its conſtitution, it will " deliver all up, let all the laws " poſſible, and all the bars ima- " ginable, be put in the way to " it. It is no more poſſible to " make a government immortal, " than to make a man immortal. " I do not deny but ſeveral in- " conveniences may be appre- " hended from a ſtanding force, " and therefore I ſhould not go " about to perſuade you to it, " if the thing [illegible] " diſpenſably [illegible] " preſervation [illegible] " have us [illegible] " and ſecure [illegible] " which [illegible] " from [illegible] " hereafter [illegible] " our liberties [illegible] " conſtitution [illegible] " land is true to [illegible] " ſoever the nation has [illegible] " noble ſenſe of liberty, by " which it has been ſo long pre- " ſerved, it will ſoon make " fetters for itſelf, though it " ſhould find none at hand rea- " dy made."

A letter from the author of the argument againſt a ſtanding army, to the author of the balancing letter, printed in 1697, in 4to.

Some reflections on a pamphlet lately publiſhed, intitled, An argument ſhewing, that a ſtanding army is inconſiſtent with a free government, &c. printed in 1697, in 4to.

The militia reformed; or, an eaſy ſcheme of furniſhing England with a conſtant land force, capable to prevent or to ſubdue any foreign power, and to maintain perpetual quiet at home, without endangering the public liberty, printed in 1697-8, in 4to.

A diſcourſe concerning militia's and ſtanding armies, with relation to the paſt and preſent governments of Europe, and of England in particular, printed in 1697, in 4to.

A

give us a real ſecurity, but a good body of regulated troops: 1697.
nothing could be made of the militia, chiefly of the horſe, but at a vaſt charge; and, if it was well regulated, and well commanded, it would prove a mighty army; but this of the militia was only talked of, to put by the other; for no project was ever propoſed to render it more uſeful; a force at ſea might be ſo ſhattered, while the enemy kept within their ports (as it actually happened at the revolution) that this ſtrength might come to be uſeleſs, when we ſhould need it moſt; ſo that, without a conſiderable land force, it ſeemed the nation would be too much expoſed. The word, ſtanding army, had an odious ſound in Engliſh ears; ſo the popularity lay on the other ſide; and the king's miniſters ſuffered generally in the good characters, they had hitherto maintained, becauſe they ſtudied to ſtop the tide, that run ſo ſtrong the other way.

The parliament met, on the 3d of December, and the king opened the ſeſſion with the following ſpeech. The third ſeſſion of the third parliament opened. The king's ſpeech. Pr. H. C. III. 73.

" My lords and gentlemen,

" THE war, which I entered into by the advice of my people, is by the bleſſing of God, and their zealous and affectionate aſſiſtance, brought to the end we all propoſed, an honourable peace; which I was willing to conclude, not ſo much to eaſe myſelf from any trouble or hazard, as to free the kingdom from the continuing burthen of an expenſive war.

" I am heartily ſorry my ſubjects will not at firſt find all that relief from the peace, which I could wiſh, and they may expect. But the funds intended for the laſt year's ſervice have fallen ſhort of anſwering the ſums, for which they were given; ſo that there are conſiderable deficiencies to be provided for.

" There is a debt upon the account of the fleet and the army. The revenues of the crown have been antici-

A ſhort hiſtory of ſtanding armies in England, 3d edition 1698, in 4to.

A brief reply to the hiſtory of ſtanding armies in England, with ſome account of the authors, printed in 1698, in 4to.

An argument, ſhewing, that a ſtanding army, with conſent of parliament, is not inconſiſtent with a free government, &c. London 1698, in 4to.

A confutation of a late pamphlet, intitled, A letter, balancing the neceſſity of keeping a land-force, &c. London 1698, in 4to.

1697. "pated by my conſent for public uſes, ſo that I
"——— "deſtitute of means to ſupport the civil liſt;
"never diſtruſt you will ſuffer this to turn to
"tage, but will provide for me during my
"manner, as may be for my honour, and
"of the government.

"Our naval force being increaſed to
"it was at my acceſſion to the crown, the
"taining it will be proportionably augm
"certainly neceſſary, for the intereſt
"England, to have always a great ſtren

"The circumſtances of affairs ab
"I think myſelf obliged to tell you
"land cannot be ſafe without a
"we ſhall not give thoſe, who mean
"tunity of effecting that under the notion
"which they could not bring to paſs by a war.

"I doubt not but you, Gentlemen of the houſe of commons, will take theſe particulars into your conſideration "in ſuch a manner, as to provide the neceſſary ſupplies, "which I do very earneſtly recommend to you.

My lords and gentlemen,

"That, which I moſt delight to think of, and am beſt "pleaſed to own, is, that I have all the proofs of my people's affection, that a prince can deſire; and I take this "occaſion to give them the moſt ſolid aſſurances, that, "as I never had, ſo I never will, nor can have, any "intereſt ſeparate from theirs.

"I eſteem it one of the greateſt advantages of the peace, "that I ſhall now have leiſure to rectify ſuch corruptions or "abuſes, as may have crept into any part of the adminiſtration during the war, and effectually to diſcourage profaneneſs and immorality. And I ſhall employ my thoughts "in promoting trade, and advancing the happineſs and flouriſhing eſtate of the kingdom.

"I ſhall conclude with telling you, that as I have, with "the hazard of every thing, reſcued your religion, laws, "and liberties, when they were in the extremeſt danger; "ſo I ſhall place the glory of my reign in preſerving "them intire, and leaving them ſo to poſterity."

This ſpeech had various effects in the houſe of commons; but no part of it gave more offence than that, wherein the king

king told them, that in his opinion a ſtanding land-force was neceſſary. The commons carried the jealouſy of a ſtanding army ſo high, that they could not bear the motion, nor did they like the way the king took of offering them his opinion in that point. This ſeemed a preſcription to them, and might biaſs ſome in the counſels they were to offer the king, and be a bar to the freedom of debate: and therefore, as the managers for the court had no orders to name any number, the houſe came to a reſolution of paying off and diſbanding all the forces that had been raiſed ſince the year 1680 [a]. In vain was it urged, that the nation was ſtill unſettled, 1697

The diſbanding of the army reſolved. Dec. 11. Pr. H. C. III. 76, 77.

[a] The horſe, dragoons, and foot on the Engliſh eſtabliſhment at the peace of Ryſwick were as follow:

	Troops and Comp.	Commiſſ. offic.	Non-com. offic.	Private men.	Total numbers.
Horſe and dragoons					
Three troops of horſe-guards,	3	48	15	600	663
One troop of Dutch guards,	1	15	5	200	220
One troop of horſe-grenadiers,	1	11	20	180	211
Earl of Oxford's regiment,	9	40	45	531	616
Earl of Portland's Dutch regiment,	9	42	54	603	659
Lumley's regiment,	9	40	45	531	616
Wood's	6	28	36	354	412
Arran's	6	28	36	354	412
Wyndham's	6	28	36	354	412
Schomberg's	6	28	36	354	412
Macclesfield's	6	28	36	354	412
Raby's dragoons	8	37	72	480	589
Lloyd's dragoons	8	37	72	480	589
Earl of Eſſex's dragoons	8	37	72	480	589
	86	447	580	5855	6876
Foot.					
Earl of Romney's 4 battallions,	28	99	222	2240	2563
Lord Cutts's 2 battallions	14	51	112	1120	1283
The Dutch Blue guards, 4 battallions,	26	96	208	2366	2670
The earl of Orkney's Scots regiment,	26	88	208	1560	1656
Selwyn's,	13	44	104	780	928
Churchill's	13	44	104	780	928
Trelawney's	13	44	104	780	928
Erle's	13	44	104	780	928

1697. settled, and not quite delivered from the fear of king James: that the friends of that abdicated prince were as bold and as numerous as ever, and himself ſtill protected by the French king, who, having as yet diſbanded none of his troops, was conſequently as formidable as before: that, if the army was intirely diſbanded, the peace, which was obtain'd at the expence of ſo much blood and treaſure, would be altogether precarious, and not only England, but all Europe lie once more at the mercy of that ambitious monarch, an inveterate enemy to king William, the proteſtant religion, and the liberties of Chriſtendom, whom the neceſſity of his affairs, not his inclination, had reconciled. Notwithſtanding theſe and many other arguments, the vote paſſed, which brought the army to leſs than eight thouſand men. The court was ſtruck with this; and then tried, by an after-game, to raiſe the number to fifteen thouſand horſe and foot. If this had been propoſed in time, it would probably have been carried without any difficulty; but the king was ſo long upon the reſerve, that now, when he thought fit to ſpeak out his mind, he found it was too late. So that a force, not exceeding ten thouſand horſe and foot, was all that the houſe could be brought to. This gave the king the greateſt diſtaſte of any thing that had befallen him in his whole reign. He thought it would derogate much from him, and render his alliance ſo inconſiderable, that he doubted, whether he could carry on the government, after it ſhould be reduced to ſo weak and ſo contemptible a ſtate. He ſaid, that, if he could have imagined, that, after all the ſervice he ſhould have done the nation, he ſhould have met with ſuch returns, he would ne-

	Troops and Comp.	Commiſ. offic.	Non-com. offic.	Private men.	Total numbers.
Seymour's	13	44	104	780	928
Colt's	13	44	104	780	928
Mordaunt's	13	44	104	780	928
Sir David Collier's	13	44	104	780	928
Sir Charles O Hara's fuſileers,	13	46	104	780	930
Collingwood's	13	46	104	780	930
	224	778	1790	15078	17656

Thus, excluſive of the Dutch, the army in England, officers and all, was but horſe and dragoons,	5957
Foot,	14986
Total horſe and foot,	20943

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ver have meddled in the affairs of it; and that he was weary of governing a nation, that was ſo jealous, as to lay itſelf open to an enemy, rather than truſt him, who had acted ſo faithfully during his whole life, that he had never once deceived thoſe, who truſted him. This, and a great deal more to the ſame purpoſe, he ſaid to biſhop Burnet; but he ſaw the neceſſity of ſubmitting to that, which could not be help'd. 1697.

During theſe debates, the earl of Sunderland had argued with many upon the neceſſity of keeping up a greater force. This was in ſo many hands, that he was charged as the author of the counſel, of keeping on foot a ſtanding army; he was therefore often named in the houſe of commons with many ſevere reflections, for which there had been but too much occaſion given during the two former reigns. The Tories preſſed hard upon him, and the Whigs were ſo jealous of him, that he, apprehending that, while the Tories would attack him, the others would defend him but faintly, reſolved to prevent a public affront, and reſigned the office of lord Chamberlain, not only againſt the intreaties of his friends, but even the king's earneſt deſire, that he would continue about him. Indeed, upon this occaſion, the king expreſſed ſuch a concern and value for him, that the jealouſies were increaſed by the confidence, which the court ſaw the king had in him. During the time of his credit, things had been carried on with more ſpirit and better ſucceſs than before. He had gained ſuch an aſcendant over the king, that he brought him to agree to ſome things, that few expected he would have yielded to. He managed the public affairs in both houſes with ſo much ſteddineſs and ſo good a conduct, that he had procured to himſelf a greater meaſure of eſteem, than he had in any of the former parts of his life; and the feeble and diſjointed ſtate things fell into, after he withdrew, contributed not a little to eſtabliſh the character which his adminiſtration had gained him.

The earl of Sunderland retired from buſineſs. Burnet.

Dec. 26.

Purſuant to their reſolution, the commons granted a ſupply for diſbanding the army, and ordered the ſum of 250,000 *l.* to be given as a gratuity to ſuch officers and ſoldiers, as were or ſhould be diſbanded [b]. Proviſion was alſo made for half-pay to commiſſion-officers being Engliſhmen; and a bill was ordered to be brought in, that the diſbanded ſoldiers might exerciſe their trade in any town or corporation in the kingdom.

Supply for diſbanding the army.

[b] To every foot-ſoldier and non-commiſſioned officer, fourteen days ſubſiſtance. Six days full pay to each private trooper and non-commiſſioned officer.

1697. The commons, after having reſolved the diſbanding of the army, under pretence of providing for the ſecurity of the kingdom, ordered a bill to be prepared for regulating the militia, and making them more uſeful; but, as it has been obſerved, this was no more than a pretence, for nothing was done towards ſuch a regulation, nor any act paſſed for that purpoſe.

To raiſe the ſums for diſbanding the army, and paying their arrears, and making good all deficiencies, amongſt other aids, a tax of three ſhillings in the pound was laid upon land, which was to be aſſeſſed on every county, in proportion to the rates of the firſt four ſhillings aid granted in 1691, by which means any future deficiency of this fund was prevented [c]. It was alſo reſolved by the commons, that the fourth part of the clear value of all the beneficial grants from the crown in England and Ireland, and all the forfeited eſtates which had been reſtored by the crown, ſince the reſtoration, ſhould be applied to the uſe of the public. But there were ſo many petitions againſt this, that no progreſs was made in the bill for it.

Civil liſt ſettled for the king's life. Pr. H. C. III. 87.

As it was true, that the revenues of the crown (as the king took notice in his ſpeech) were anticipated for public uſes, the commons did at laſt reſolve to grant what he had ſo earneſtly deſired ever ſince his advancement to the throne, namely a revenue for life. Accordingly, a bill paſſed for a further ſubſidy of tonnage and poundage, towards raiſing the yearly ſum of ſeven hundred thouſand pounds, for the ſervice of his majeſty's houſhold, during his life. This is now called the new ſubſidy, and is much the ſame with the old ſubſidy, of which an account has been given. It was deſigned to grant for the civil liſt no more than ſix hundred thouſand pounds; but as it

[c] Beſides this land-tax, a duty was laid upon all coal and culm, over and above the duties already payable. The poll or capitation tax was continued for one year longer; and a duty laid upon all coals imported from Scotland, or other parts beyond ſea. The duties upon ſtamped vellum, parchment, and paper were doubled: the duties upon coffee, tea, chocolate, and ſpices were continued; as alſo the duty payable by hawkers and pedlars for the term of three years, to commence from the expiration of the preſent duties upon them; a farther duty was laid upon ſalt; and the duties upon luſtrings and alamodes imported were doubled; the time was enlarged for purchaſing annuities upon the ſeveral acts of parliament, for granting the ſame; and laſtly, an act paſſed for raiſing a ſum not exceeding two millions, upon a fund for payment of annuities after the rate of eight per cent. per annum, redeemable by parliament.

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had been promiſed at the treaty of Ryſwick, that, king James being now as dead to England, his queen ſhould enjoy her jointure, which was fifty thouſand pounds a year; and, as it was intended to ſettle a court about the duke of Glouceſter, who was then nine years old, to enable the king to bear theſe expences, this large proviſion was made for the civil liſt. But by ſome great error in the management, tho' the court never ſpent ſo little, yet payments were ill made, and, by ſome ſtrange conſumption, all was waſted. It is even ſaid, that though the king had thus obtained an increaſe of 100,000 *l.* to the civil liſt, on account of king James's queen's penſion, and the duke of Glouceſter's houſhold, that he never paid the queen one penny, nor allowed the duke of Glouceſter above 15,000 *l.* a year; nay, ſo frugal was the king, that, though he kept the duke in women's hands, ſome time after the revenue was granted, he refuſed to advance one quarter of this allowance to buy plate and furniture; ſo the princeſs was forced to be at that expence herſelf. 1698.

Conduct of the dutcheſs of Marlborough. P. 117.

While the commons were raiſing the ſupplies for the next year, the affair of the Eaſt-India trade, which had been depending ſo many years, was revived. The old company having offered to advance 700,000 l. at four per cent. for the ſervice of the government, in caſe the trade to India might be ſettled on them, excluſive of all others, the houſe ſeem'd inclined to embrace their propoſal; when another number of merchants, of whom Sir John Ward, ſir Francis Eyles, ſir Gilbert Heathcote, and Mr. Samuel Shepherd were the chief, and whoſe ſcheme was approved by Mr. Mountague, chancellor of the Exchequer, propoſed to the houſe to raiſe two millions, upon the ſecurity of a good fund, to pay the intereſt at eight per cent. on condition the trade to India might be ſettled on the ſubſcribers, excluſive of all others. They alſo propoſed, that theſe ſubſcribers ſhould not be obliged to trade in a joint ſtock; but, if any members of them ſhould afterwards deſire to be incorporated, a charter ſhould be granted to them for that purpoſe. The houſe judged this new overture, not only to be more advantageous to the government, but likewiſe very likely to ſettle this controverted trade on a better foundation than it was on before. A bill was therefore brought into the houſe, for ſettling the trade to the Eaſt-Indies on thoſe, who ſhould ſubſcribe the two millions, according to the limitations before mentioned, and the following reſolutions[d]: "Firſt, that every ſubſcriber might

New Eaſt-India Company erected. Pr. H. C. III. 85. Burnet.

May 29.

[d] The fund for paying the intereſt of eight per cent. for theſe two millions, was duty upon ſalt, and an additional duty upon ſtamped vellom, parchment, and paper.

1698. "have the liberty of trading yearly to the amount of his re-
"ſpective ſubſcription, or might aſſign over ſuch his liberty
"of trading to any other perſon. Secondly, That his ma-
"jeſty be impowered to incorporate ſuch of the ſubſcribers
"as ſhould deſire the ſame. Thirdly, That the powers and
"privileges for carrying on the Eaſt-India trade ſhould be
"ſettled by parliament. Fourthly, That the ſubſcribers
"ſhould enjoy the eight pounds per cent. and liberty of tra-
"ding to the Eaſt-Indies, excluſive of all others, for the
"term of ten years, and until the ſame ſhould be redeemed
"by parliament. Fifthly, That every perſon ſubſcribing
"five hundred pounds have a vote, and no perſon to have
"more votes than one. Sixthly, That all ſhips, laden in
"the Eaſt-Indies, ſhould be obliged to deliver in England.
"Seventhly, That no perſon, who ſhould be a member of
"any corporation trading to the Eaſt-Indies, ſhould trade
"otherwiſe than in the joint ſtock of ſuch corporation, of
"which he was a member. Eighthly, That five pounds per
"annum, *ad valorem*, upon all returns from the Eaſt-Indies,
"be paid by the importer, to be placed to the account of the
"ſubſcribers, towards the charge of ſending ambaſſadors,
"and other extraordinary expences [c]. And, ninthly, That
"over and above the duties now payable, a further duty of
"one ſhilling and ten pence per pound weight be laid upon
"all wrought ſilks imported from India and Perſia, to be
"paid by the importer." Againſt this bill, the old Eaſt-India company preſented a petition, to which the commons

[c] This article refers to a part of the ſcheme propoſed to the miniſtry; which was, that his majeſty would be pleaſed to ſend an embaſſador extraordinary to the Great Mogul, in whoſe dominions the Eaſt India company had their chief ſettlements and factories, to notify the eſtabliſhment of this new company, and deſire his protection and favour. The gentleman, pitch'd upon for this employment, was ſir William Norris, member of parliament for Liverpool, who had a very noble allowance for his equipage and table; but the old company, who were in poſſeſſion of the ſettlements and factories, ſo managed matters in India, by their factors and agents, that not only the viceroys on the coaſts, but the emperor himſelf, received very ill impreſſions of the conduct and deſigns of the new company; and, when ſir William Norris arrived there, it was three or four months before he could procure the neceſſary paſſes and convoys for the court at Agra, of which at laſt he had audience, but to very little purpoſe, being in no wiſe equal in benefit to the charges of the embaſſy only, and the ambaſſador died in his return homewards.

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egard, as to offer them to ſettle this trade upon 1698.
would accept it on the ſame terms and limita-
h the others were contented to take it. But the
he old company, imagining they ſhould be too
w in India, and make them weary of a loſing
ted the offer. However, the old company at
advance the two millions; but it was now too
arty was formed againſt them, and their offer
ffect, but to raiſe a clamour againſt this proceed-
mely rigorous, if not unjuſt. For though the
erved a power to himſelf, by a clauſe in the old
harter, to diſſolve them upon three year's notice,
atly (it was urged) if ſuch notice was given, no
done them, yet the clauſe (it was anſwered) re-
ſerving that power, was to be conſidered only as a threat-
tening, to oblige them to good conduct; and it was not
uſual to diſſolve a company, by virtue of ſuch a clauſe, when
no fault was objected. The commons, however, paſſed the
bill in favour of the new adventurers, whoſe example, after
hearing the arguments on both ſides, was followed by the
lords. After which the bill received the royal aſſent [f].

Pur-

[f] The old company followed the bill to the houſe of lords, where they were heard by their counſel, ſir Thomas Powis and ſir Bartholomew Shower. Thoſe readers that are deſirous to know more of this matter, may find it in the repreſentation that was made to the lords, to the following effect.

"That this bill invaded their "property, and ruined many "families. That, in the char- "ters granted them by queen "Elizabeth, king James I. king "Charles I. and king James II. "it was ſuggeſted, that their "corporation was for the honour "of England, for the increaſe of "navigation, and the advance "of trade. That the ſaid char- "ter contained a grant of the "trade to Eaſt-India to the com- "pany, excluſive of all others. "That by ſome of them they "were conſtituted the lords pro- "prietors of Bombay, and the "iſland of St. Helena. That "by theſe grants they were in- "duced to think they had a "right in law to the trade, at "leaſt they ſhould have an un- "controverted title to the lands, "and that on this preſumption, "and relying on the public faith "and credit of the great ſeal of "England, they had expended "above a million in fortifica- "ons, and acquired revenues of "of 44,000 l. per annum, and "many ſettlements and pri- "vileges. That, in the year "1691, the houſe of commons "had made a reſolution, That "the Eaſt-India trade ſhould be "carried on in a joint-ſtock, ex- "cluſive to all others. That "their company was confirm'd

and

1698. Purſuant to this act, the commiſſioners, appointed by the king for taking ſubſcriptions towards the raiſing of two millions,

" and ſettled by three charters " granted by his preſent majeſty on the 7th of October, and " 17th of November 1693, and " 28th of September 1694. " That, upon the ſecurity of theſe " charters, the company conſented to a new ſubſcription. " That there was a new ſubſcribed 744,000 l. and the " the money brought in during " the ſitting of the parliament; " and that nothing was done, " ſaid, or offered againſt his " majeſty's charter of regulations; ſo that upon the public faith, (at leaſt tacitly given) ſeven hundred and eighty " one new adventurers, of " whom many were widows and " orphans, did ſubſcribe a large " part of their ſubſtance to ſupport this trade, during a hazardous war, for the profit " and honour of England: And " that the new adventurers " thought they might without " any hazard ſubſcribe on the " ſecurity of a charter, which " was ſo plainly deſigned by " his majeſty to preſerve the " Eaſt-India traffic, then in " danger of being loſt. That, " on the 10th of June, after the " bill now depending before " their lordſhips was brought " in, the company did agree to " ſubmit their preſent ſtock to a " valuation of 50 l. per cent. " viz. 20 l. per cent. for their " dead ſtock, and 30 per cent. " for their quick ſtock, which " they were contented to warrant at the ſaid ſums; and " upon theſe terms they offered " to open their books for new " ſubſcriptions, in order to raiſe " the two millions; that afterwards, to aſcertain the payments of the ſaid two millions, they had a general court " on the 20th of June, in which " they agreed to an immediate " ſubſcription by private adventurers of 200,000 l. to be paid " at the firſt payment, ſubject " to make good the ſubſequent " payments; which ſubſcription was accordingly made. " That it has been the conſtant " practice in farms, bargains, " and offers of the like nature, " not to cloſe with a new propoſal, till the firſt bidder be " aſked, whether he is able to " advance further? and that, " notwithſtanding their charters, " and the right they had to the " trade, they were early told " their propoſal ſhould be oppoſed, though they offered the " two millions in queſtion. And " laſtly, That the bill allowed " foreigners, as well as the " king's ſubjects, to ſubſcribe " to the two millions, whereby " they would be let into the ſecrets and myſteries of this " trade, which might produce " effects very pernicious to the " general intereſt of the nation." To this the counſel for the new ſubſcribers replied, That, in the recital of their charters the old company, had omitted to give an account of the proviſo's inſerted therein," viz. That the " reſpective kings, that granted " them, reſerved a power to " make them void upon three " years warning." That the the king by his charter could not

lions, and for ſettling a new Eaſt-India company, laid open their books at Mercer's hall, the 14th of July; and ſuch was the 1698.

not grant the trade to the Eaſt-Indies, excluſive of all others; and that ſeveral recoveries had been made againſt them at law for proſecuting ſuch a pretended right. That, as the crown has not a power to grant ſuch a right, ſo his preſent majeſty had not in fact granted any ſuch right excluſive. That when they mentioned the reſolution of the commons in 1691, they omitted their other reſolution, "That "it was lawful for all perſons "to trade to the Eaſt-Indies, "unleſs reſtrained by act of par-"liament." Neither did they take notice of the two addreſſes made by the houſe of commons to the king in 1691 and 1692 to diſſolve the company. That, on the 14th of November 1692, Sir Edward Seymour delivered to the commons a meſſage, importing, "That his majeſty had "required the Eaſt-India com-"pany to anſwer directly, whe-"ther they would ſubmit to "ſuch regulations, as his ma-"jeſty ſhould judge proper and "moſt likely to advance the "trade? And the company "having agreed to it, and de-"clared their reſolution in writ-"ing, his majeſty had com-"manded a committee of his "privy-council to prepare re-"gulations; which they did, "and offered them to the com-"pany; but that, notwithſtand-"ing their declaration of ſub-"miſſion, they rejected almoſt "all the material particulars, "ſo that his majeſty finding, "that what poſſibly the houſe "of commons might have ex-"pected, and indeed was ne-"ceſſary to preſerve this trade, "could not be perfected by his "own authority alone; and that "the company could not be in-"duced to conſent to any ſuch "regulations, as might have "anſwered the intentions of the "houſe of commons, and that "the concurrence of the par-"liament was requiſite to make "a compleat and uſeful ſettle-"ment of this trade, he had di-"rected all the proceedings in "this matter to be laid before "them, and recommended to "them the preparing ſuch a bill, "in order to paſs into an act of "parliament, as might eſtabliſh "this trade on ſuch foundations, "as were moſt likely to preſerve "and advance it." It was alſo urged againſt the old company, that, their charter being become void by their non payment of the tax impoſed upon them by parliament, they obtained a new charter, the 7th of October 1693, by indirect means, having that year paid eighty odd thouſand pounds out of the company's ſtock for ſpecial ſervice. That this charter was conteſted before the queen and council by thoſe they called Interlopers, upon the hearing whereof it was unanſwerably proved, that the king had not, by law, a power to grant the trade to ſome perſons excluſive of others, and that the company's affairs were then in ſuch a condition, that it would be a plain cheat to others, that ſhould come in upon their ſtock.

That

1698. the zeal, which people of all ranks, and even foreigners, shew'd upon this occasion, that, in two or three days, the whole

That however, law and reason failing, they had recourse to other methods, and great sums of money were distributed (as it was acknowledged before a committee of both houses of parliament) to get another charter; but that those, who were concerned to advise his majesty in point of law, were so just to their trust, as to take care, that no right of trade, exclusive of others, was granted; and also that the company should submit to such alterations, restrictions and qualifications, as the king should make on the 29th of September 1693 following; and so, on the 17th of November 1693, a new charter of regulations was made, and another the 28th of September 1694, wherein, amongst other things, was this proviso; "That if it should "appear to the king, his heirs, "and successors, that the said "two charters, or any other "charters heretofore granted, "should not be profitable to the "king, his heirs and successors, "or to this realm; that then "and from thenceforth, upon "and after three years warning "to be given to the said com- "pany by the king, &c. the "same should cease, be void, "and determine." That it appeared by the proceedings of the house of commons in 1694, how this charter was obtained; which had more in it of private promises than public faith: That it was not to be wondered, that the parliament took no notice of the matter, whilst the new subscribers paid in their money, when it was considered, that according to Sir Basil Firebrace's depositions, "there were seve- "ral contracts, some to the va- "lue of 60,000 l. on account "of procuring a new charter, "and others to the value of "40,000 l. on account of pro- "curing an act of parliament." That by such means the matter might be overlooked for a while, but it was not long before the parliament took public notice of it; and, if the greater affairs of the nation had not been so urgent, and the session been so near an end, perhaps the company might have had justice done them, and had been passed complaining of any imaginary injustice done them now. That therefore it was plain, that it was not for the profit and honour of the nation, and to support the trade, that the new subscribers came in; but that they were deluded into it by a charter obtained by indirect ways, and by the hopes of an act of parliament to confirm it, to be obtained in the same manner. That the trade would have been much better preserved, and more to the honour of the nation, if no such underhand practices had been carried on. That if some persons, thinking themselves to have a greater reach than others, or being deceived by the old company's making his majesty believe their stock to be worth 750,000 l. and by afterwards sharing 325,000 l. of the new subscribers money among themselves, only the persons failing them, who promised to get an act

sum, and something above it, was subscribed. And probably, two millions more had been subscribed, had not 1698.

parliament, or by losses at or by what other means so- it were, happened to fail their expectation, no body answerable for it but them- ; especially since they had ng enough by the transac- before the council. It was ed farther, that in the of Edward III. and queen Elizabeth, upon complaint in parliament of patents granted for monopolies, most of them were immediately revoked, and the rest left to the law. That, in king James I's time, an act of parliament passed to make void a charter for the sole trade to Spain, and another against all monopolies. That though the patents for some trades with joint-stocks (whilst the trades, for which they were granted, were in their infancy) have been permitted for the settling of a trade, and till the first adventurers have reaped some reasonable compensation for their first undertaking and adventures, yet afterwards, when those trades have increased and become great, the wisdom of the nation has always thought fit to open a way for the kingdom to receive a general benefit thereby. That it never was esteemed a breach of the public faith, or a derogation either from the credit of the great seal, or from the honour of our kings, to have their patents annulled by parliament, when the grants were thought by that grand council of the nation not to be profitable, or to be against the common right of the subject, and that no king or queen thought themselves bound in honour or conscience not to pass an act of parliament to make void such patents. That the king, being busied in the many arduous affairs of the kingdom, cannot be supposed to know always what he might legally grant, and is oftentimes deceived in his grants; and for that reason they are often annulled by the ordinary course of law; and so might this company's patent have been; for, all persons having a right by law to trade to the East-Indies, unless excluded by parliament, the king by his charter could not grant to the company any new right to the trade, besides the privileges of an incorporated body; but that the commons justly bearing an high veneration to his present majesty, who had run so great hazards, and performed so glorious atchievements for the honour and good of the nation, had notwithstanding taken care in this bill, that nothing should interfere with his majesty's patent. That by this patent the old company had indeed power to trade to the East-Indies, and other privileges, but without any express clause to exclude others, or any covenant (as was in the former charters from the crown) that his majesty would not grant licence to others, to trade thither, during the continuance of the said charter; so that even, according to the charters themselves, all other subjects of England had a right to trade

to

1698. not the books been ſhut before the diſtant corporations, private men in remote counties, and merchants beyond ſea, could remit their commiſſions for the ſums, which they intended to ſubſcribe. The diſpatch of ſo great a work in ſo few days, after the nation had borne ſo chargeable a war for ſo many years, ſurprized all the world. And as it greatly mortified all thoſe, who were aſſured, that the king would be diſappointed of this ſupply; ſo it gave the neighbouring nations an aſtoniſhing image, both of the opulence of England, and the ſtrength of the government.

The Whigs loſe their credit in the nation.

However, this proceeding threw the old company, and all concerned in it, into the hands of the Tories, which made a great breach and disjointing in the city of London. And it is certain, that this act, together with the inclinations, which thoſe of the Whigs, who were in good poſts, had expreſſed, for keeping up a greater land-force, contributed to the blaſting of the reputation, which they had hitherto maintained, of being good patriots, and was made uſe of throughout England by the Tories, to diſgrace both the king and them. To this, another charge of an high nature was added, that they robbed the public, and applied much of the money, that was given for the ſervice of the nation, both to the ſupporting a vaſt expence, and to the raiſing great eſtates to themſelves. This was ſenſible to the people, who were uneaſy under heavy

to the Eaſt-Indies, and many actually traded thither without any hinderance. That, though the old company talked ſo much of their dependence on the ſecurity of their charters, yet they themſelves were convinced, that their right was not well founded, ſince they had formerly laid out ſo much money to get an act of parliament to confirm their charters, and had lately offered to lend 700,000 l. to the government, to have the trade to themſelves, excluſive of all others. As to their offering afterwards to raiſe two millions, it was anſwered, that they made no ſuch offer with an intention that it ſhould take effect, but only as an amuſement to gain time, and ſo to baffle the bill; for when they agreed to ſubmit their ſtock to a valuation of 50 l. per cent. they knew very well, that others did not value it, at any thing near ſo much. And as to their ſubſcribing 200,000 l. ſubject to make good the ſubſequent payments of the two millions, that it was only to obtain what they had been ſo long aiming at, viz. an act of parliament excluſive, for the ſum of 200,000 l. whereby the king would be defeated of a much more conſiderable loan; others delivering in ſubſcriptions for about 1,200,000 l. And laſtly, that the old company heretofore thought it an advantage to admit foreigners into their trade; and that many were actually now in the preſent company, though they were pleaſed to argue againſt it.

taxes,

1698.

[redacted]d were too ready to believe, that, according to the [redacted] king Charles's time, a great deal of the money, [redacted] given in parliament, was divided among thoſe, who [redacted] Theſe clamours were raiſed and managed with great [redacted] by thoſe, who intended to render the king, and all [redacted] beſt affected to him, ſo odious to the nation, that by [redacted] they might carry ſuch an election of a new houſe of [redacted] as that by it all might be overturned. It was ſaid, [redacted]nk of England, and the new Eaſt-India company, [redacted] the hands of whigs, they would have the command [redacted] all the money, and by conſequence of all the trade of England; and this raiſed the great oppoſition to the new company in both houſes of parliament. The king was very indifferent in the matter at firſt; but the greatneſs of the ſum, that was wanted, which could not probably be raiſed by any other project, prevailed on him.

The African trade regulated.

Beſides the Eaſt-India trade, the commons took into conſideration that of the African company, which had long wanted a due regulation. And, upon account of the neceſſity of keeping up forts and caſtles for the defence of Engliſh factories on the coaſt of Guinea, there being no regular government among thoſe barbarous people, on whoſe protection they might ſafely rely, the Parliament made a bill to ſettle the company, and to enable them to maintain all ſuch forts, as they now had in their poſſeſſion, or ſhould hereafter purchaſe or erect for the preſervation of their trade; and enacted at the ſame time, that any of the ſubjects of this realm, as well as the company, might, after the 24th of June, trade from England, or after the 1ſt of Auguſt, from any of his majeſty's plantations in America, to the coaſt of Africa, between Cape Mount and the Cape of Good Hope, both the company and the free traders or interlopers, anſwering a duty of ten per cent. of the value of the goods exported thither from England, or from his majeſty's American plantations, towards the maintenance of the forts and ſettlements. Boyer.

The owling trade provided againſt.

Notwithſtanding the ſevere laws, that were in force againſt ſuch as tranſport Engliſh wool to foreign parts, who are commonly called Owlers, yet many of them, encouraged by the powerful incentive of gain, continued their clandeſtine practices to the great detriment of the nation, and profit of the French, who had lately ſet up a conſiderable woollen manufacture in Picardy. The parliament therefore, the more effectually to obviate that evil, made many prudent proviſions in an act for explanation and better execution of former acts againſt

1698. againſt tranſportation of wool, fuller's earth, and ſcouring clay.

French ſmugglers proſecuted.

The parliament likewiſe, this ſeſſion, applied themſelves with great diligence to diſcover and puniſh ſuch offenders, who carried on a fraudulent and ſecret commerce with France, and, to the great damage of the royal luſtring company of this kingdom, had, for divers years paſt, ſurreptitiouſly brought in great quantities of French alamodes and luſtrings. The firſt occaſion of this diſcovery was a paſs from the admiral of France for an Engliſh ſhip, that ſerved at once for the owling and ſmuggling trades; which paſs, at the breaking out of the late conſpiracy, was intercepted at the poſt-office, together with all the letters, which at that time were either coming from France, or ſending thither. This paſs had a long time remained uſeleſs in the hands of the ſecretary of ſtate, by reaſon it was granted on a ſuppoſititious name; but, the ſame being communicated to Mr. Hilary Reneu, an eminent French proteſtant merchant, who was the chief manager and promoter of the luſtring company, and who, upon ſeveral occaſions, had done ſignal ſervice to the government, he, by this help, and other concurring indications, at laſt found out the ſmugglers, and, having cauſed their books to be ſeized, petitioned the houſe of commons, in the name of the royal luſtring company, that theſe books, letters, and other papers, in which the contrivances to ruin the luſtring manufacture in this kingdom appear, might be laid before the houſe and examined. The commons received this petition, and referred the matter to the committee of trade, at the head of which was then Sir Rowland Gwin, who, with unwearied application and induſtry, made a full diſcovery of the ſmuggling traders, to which they themſelves gave no ſmall handle, by the ill contrived and incoherent metaphors, under which, in their correſpondence with their agents in France, they endeavoured to conceal their unlawful practices; as, for inſtance, when they ſaid, That the cart (meaning the ſhip) would not ſet out, becauſe of the contrary winds. Sir Rowland having made this report of the whole matter to the houſe of commons, it was reſolved on the 20th of April, "That the manufacture of luſtrings and alamodes, ſet up "by the luſtring company, had been very advantageous and "beneficial to the kingdom, by employing great numbers of "the poor, and preventing the exportation of our coin, for "purchaſing thoſe commodities. That there had been a "very deſtructive trade carried on with France, during the "war, for importing alamodes and luſtrings contrary to law,

1698.

" whereby the king had been defrauded of his cuſtoms, and " our own manufactures greatly diſcouraged. That the " ſame veſſels, which imported alamodes and luſtrings, ex- " ported great quantities of our wool. That thereby in- " telligence had been carried into France, during the war, " and the enemies of the Government had been conveyed " from juſtice out of this kingdom (particularly Cardell " Goodman) and had had frequent opportunities of return- " ing hither to carry on their pernicious deſigns. That by " the intercepted letter, wherein the French king's paſſport " was incloſed, compared with Mr. John Goudet's hand-writ- " ing, and the copy of the ſaid letter entered in Mr. Goudet's " copy-book of letters, and by Mr. Goudet's ſeal, where- " with the paſſport letter was ſealed, it did appear, that the " ſaid paſſport was procured and paid by the ſaid Mr. Goudet " and company. That the ſaid paſſport was ſent back, in " order to be renewed, the time, for which it was granted, " being expired. That Goudet, Longueville, and Barreau " were partners, during the time this ſmuggling trade was " carried on. That Mr. Stephen Seignoret, Mr. Baudoin, " and Mr. Santini were alſo partners, and had imported " great quantities of French alamodes and luſtrings. That " Mr. Peter de Hearce dealt with ſeveral perſons in France " for French ſilks, and other commodities from France, un- " der ſeveral fictitious and counterfeit names. That John " du Maiſtre, Peter Baraillau, Diana Maſon, John Auriol, " Iſaac Auriol, John Pancier, John Guggier, and ſeveral " others, had been concerned in the ſmuggling trade. That " a bill be brought in for the encouragement of the luſtring " company, and the more effectual preventing the fraudu- " lent importation of luſtrings and alamodes, and the expor- " tation of wool and fuller's earth. That John Goudet, " David Barreau, Peter Longueville, Stephen Seignoret, " René Baudouin, Nicholas Santini, and Peter de Hearce " (to whom were afterwards added John Pierce, John du " Maitre and John Auriol) be impeached before the Lords " of high crimes and miſdemeanors, and be taken into the " cuſtody of the ſerjeant at arms attending this houſe. That " the reſt of the ſmugglers be proſecuted by Mr. attorney- " general and Mr. ſollicitor-general. And laſtly, that Mr. " Hilary Reneu, for the great ſervice done this kingdom in " promoting the manufacture of alamodes and luſtrings, and " diſcovering the fraudulent importation thereof, and exporta- " tion of wool, deſerved the countenance and protection of

1698. "the government: and that a bill for naturalizing [illegible] "his family be permitted to paſs this houſe grat[illegible]

The impeached ſmugglers having put in their [illegible] the articles exhibited againſt them, and the [illegible] the houſe of commons made their replications, a great [illegible] pute aroſe between both houſes of parliament; the lords [illegible] ſiſting, that the trials ſhould be at the bar of their [illegible] where the committee of the commons muſt have [illegible] the commons, on the other hand, inſiſting upon [illegible] ing a convenient place appointed for the manage[illegible] peachments againſt the priſoners, whereby they might be [illegible] ter enabled to make good their charge againſt them. This gave

June 15. occaſion for a conference, which being ineffectual to accommodate the matter, the commons reſolved, that they would be preſent at the trials, as a committee of the whole houſe in regard the affair was of great conſequence to the trade of the kingdom. Whereupon the lords acquainted the commons, that they would proceed, on the Monday following, upon the trials at Weſtminſter, where ſeats would be provided for both houſes. All this while the perſons accuſed had conceived no ſmall hopes of impunity from the diſagreement between the lords and commons, but, when they ſaw that matter adjuſted, eight of them confeſſed themſelves

July 4. guilty. Whereupon the commons went up to the bar of the lords houſe, and their ſpeaker in their name having demanded judgment againſt the offenders, the lords impoſed a fine of ten thouſand pounds upon Stephen Seignoret; of three thouſand pounds on René Baudouin; of fifteen hundred pounds on John Goudet and Nicholas Santini; of one thouſand pounds on Peter de Hearce, John Pearce, and John du Maitre; and of five hundred pounds on David Barreau; and ordered, that they ſhould be impriſoned in Newgate, until they had paid their reſpective fines; and the commons addreſſed the king, that thoſe fines might be appropriated to Greenwich hoſpital, which he ordered accordingly.

Falſe indorſements on Exchequer bills inquired into. Pr. H. C. III. 80.

Another ſort of offenders were this ſeſſion animadverted upon by the commons, but had the good fortune to eſcape with impunity. The Exchequer bills were at this time of very great uſe in the nation, by ſupplying the ſcarcity of money, during the recoining of the ſilver ſpecies. Now becauſe there was an intereſt of ſeven pounds twelve ſhillings per ann. allowed upon the ſecond iſſuing of theſe bills out of the Exchequer, after they had been paid in, on any of the king's taxes, whereas at their firſt iſſuing out of the Exchequer they bore no intereſt, this encouraged ſeveral of the king's

1698.

king's officers, both in the Exchequer, the customs, and the excise, to contrive together to get great sums of money by false indorsements on these Exchequer bills, before they had circulated about, and been brought into any branch of the king's revenue. The most considerable persons, who had carried on this unwarrantable practice, were Mr. Charles Duncomb, receiver-general of the excise; Mr. John Knight, treasurer of the customs; Mr. Bartholomew Burton, who had a place in the excise-office; and Mr. Reginald Marriot, one of the deputy-tellers of the Exchequer; which last, to procure his pardon, compounded to accuse the rest. Upon a full proof of the matter, Duncomb and Knight, who were members of the house of commons, were first expelled the house, and committed prisoners to the Tower; Burton sent to Newgate, and bills ordered to be brought in to punish them. The bill against Mr. Duncomb, when by a fine of near half his estate, which was computed at 400,000 l. [g], was set upon him, quickly passed the house of commons, notwithstanding the opposition that was made to it, particularly by sir Thomas Trevor the attorney-general. But, being sent up to the house of lords, and the house being equally divided, the duke of Leeds gave his casting vote for rejecting the bill. But, Mr. Duncomb being set at liberty by the order of the house of lords, without the consent of the commons, the latter resented it to that degree, that they caused him to be remanded to the Tower of London, where he continued till the end of the session. The bills against Knight and Burton had the same fate; and so all the noise this sort of forgery had made, in town and country, was hushed on a sudden, and no more heard of it.

The commons, this year, designed to apply part of all the forfeited estates to the use of the public; in order to which, they inquired into the grants made by king Charles II. and king James II. and ordered a bill to be brought in to make them void. Afterwards they examined the grants made by king William in Ireland; and, because a grant was found made to Mr. Raylton, which Mr. Mountague, chancellor of the Exchequer, owned to be for his benefit, a warm debate arose; and Mr. Mountague's enemies moved, That he should withdraw; which passing in the negative, it was resolved by

Feb. 16.

[g] He had a little before purchased the great manor of Helmsly in Yorkshire, of the trustees for George Villiers late duke of Buckingham, at 95,000 l. and paid down the money, when the want of coin was the most complained of.

a great

1648. a great majority, "That it was the opinion of this
"that the honourable Charles Montague, Chancell
"Exchequer, for his good services to this governm
"deserve his Majesty's favour."

Addreſs about religion. Pr. H. C. III. 81.

The next day, the commons in a body presented an
to the king, wherein "they with great joy and comfort
"membered the testimonies, which his Majesty had given
"them of his sincerity and zeal for the reformed religion
"as established in this kingdom; and in particular they ac-
"knowledged the late declaration, which his majesty had
"made from the throne, That he would effectually discou-
"rage profaneness and immorality; which, chiefly by the
"neglect and ill example of too many, were (like a gener
"contagion) diffused and spread throughout the kingdom
"to the great scandal and reproach of the protestant re
"gion, and to the dishonour and prejudice of his majes
"government. Therefore, in concurrence with his ma
"sty's pious intentions, they most humbly desired, that hi
"majesty would issue out his royal proclamation, command-
"ing all judges, justices of the peace, and other magistrates,
"to put in speedy execution the good laws, that were now
"in force, against profaneness and immorality, giving en-
"couragement to all such, as did their duty therein. And,
"since the examples of men in high and public stations
"have a powerful influence upon the lives of others, they
"most humbly besought his majesty, that all vice, profa
"ness, and irreligion might in a particular manner be dis-
"countenanced in all those, who had the honour to be employed
"near his royal person, as well as all others, who were in his
"majesty's service by sea or land; and that his majesty
"would upon all occasions discountenance piety and virtue by
"marks of his favour. They further besought his majesty
"to give effectual orders for the suppressing all pernicious
"books and pamphlets, which contained impious doctrines
"against the holy trinity, and other fundamental articles of
"the protestant faith, tending to the subversion of the chris-
"tian religion; and that his majesty's proclamation might be
"ordered to be read at least four times in the year in all
"churches and chapels immediately after divine service,
"and at the assizes and quarter sessions of the peace, just
"before the charge is given." The king's answer was,
"That he could not but be very well pleased with an ad-
"dress of this nature, and he would give immediate direc-
"tions in the several particulars they desired. But that he
"could wish that some more effectual provision were made
"for

the suppressing those pernicious books and pamphlets, 1698.
which their address took notice of." And on the 28th of February was published a proclamation for preventing and suppressing immorality and profaneness; and the house of lords, to express their zeal for so good a design, prepared and passed a bill for the more effectual suppressing atheism, blasphemy, and profaneness, to which, after several conferences, the commons gave their concurrence.

It is remarked, that the divisions among the clergy, at that time, was one great encouragement to the profane. There were manifestly two different parties among them; one was firm and faithful to the present government, and served it with zeal; these did not envy the dissenters the ease, that the toleration gave them; they wished for a favourable opportunity of making such alterations, in some few rites and ceremonies, as might bring into the church those, who were Divisions among the Clergy. Burnet.

Society for reformation of manners. Burnet.

E e 3 time,

1698. time. It might have given ſcandal, and it ſeemed a diſcouraging of piety, and might be a means to drive well-meaning perſons over to the diſſenters. After the revolution theſe ſocieties grew more numerous, and, for a greater encouragement to devotion, they got ſuch collections to be made, as maintained many clergymen to read prayers in ſo many public places, and at ſo many different hours, that devout perſons might have that comfort at every hour of the day. There were likewiſe conſtant ſacraments every Sunday, in many churches; and there were both greater numbers and greater appearances of devotion at prayers and ſacraments, than had been obſerved in the memory of man. Theſe ſocieties reſolved to inform the magiſtrates of ſwearers, drunkards, profaners of the lord's day, and of lewd houſes, and threw in the part of the fine, given by law to the informers, into a ſtock of charity. From this they were called Societies for the reformation of manners, and were encouraged by ſome magiſtrates, though treated roughly by others.

A ſociety for propagating religion in foreign parts. Kennet.

There was alſo about the ſame time another deſign laid, and chiefly managed by an active divine, Dr. Thomas Bray, for propagating the goſpel in foreign parts, by ſending over miſſionaries, catechiſms, liturgies, and other books for the inſtruction of the people, too ignorant and profane, in our Weſt-India colonies and plantations. He had taken great pains to promote this undertaking, and had procured the contributions of many perſons, to enable him to proceed in the burden and glowing expences of it, and to take all opportunities of eſtabliſhing a fund for this project, upon the ſecond reading of a bill in the houſe of commons, for March 3. the better diſcovery of eſtates given to ſuperſtitious uſes, the doctor preſented a petition to the houſe, praying that ſome part of theſe eſtates might be ſet apart for the propagation of the reformed religion in Maryland, Virginia, and the Leeward iſlands; or elſe that ſome other proviſion might be made for that purpoſe.

The earl of Macclesfield's caſe.

The earl of Macclesfield, to vindicate the honour of his family, was forced now to publiſh the ſhame of his marriage-bed, and to prefer a bill in the houſe of lords, to be divorced from his wife. It ſeems his lady, about ten years before, being weary of living with the earl's father, under whoſe care her huſband had left her, during his abſence beyond ſea, retired to her mother the lady Maſon's houſe. The earl, being returned home, and reſenting this flight of his lady, which ſhe had made without his privity, inſtead of recalling her, obliged her to live in eſtate of ſeparation;

dur-

during which, it is no wonder, ſhe was tempted to break her matrimonial vows, ſince her huſband did not perform his. Accordingly, about the end of the year 1696, ſhe was delivered of a daughter. The death of this child, before the earl had heard any thing of the matter, with the belief, that this might be a ſufficient warning againſt liberties, that carried ſuch viſible effects with them, reſtrained him from attempting public ſatisfaction; and beſides, at the ſolicitation of his wife's relations, who undertook for her conduct for the future, he conſented to allow her 500 l. a year for a ſeparate maintenance. This treaty was ſcarce concluded, when the earl being informed of his lady's being delivered of another child, he commenced a ſuit in the ſpiritual court for ſuch a divorce, as might be given by that law. But being diſappointed in his proſecution, through the dilatorineſs of eccleſiaſtical proceedings, he applied himſelf to his peers for a remedy, which nothing but a parliament could give; all the relief, which he could expect from a ſentence in Doctors Commons, being no more than that ſtate of ſeparation, in which he and his lady had long lived. He alledged, that it is evident, that the divine law admits of ſecond marriages in ſuch caſes, and that there had been acts of parliament for them, as well as for baſtardizing ſpurious iſſue; that thoſe canons, which have prohibited ſecond marriages in like caſes, were ſo manifeſtly an effect of the popiſh doctrine of marriage being a Sacrament, and the avarice of the court of Rome, to get money for diſpenſing with them, that, in the reformation of eccleſiaſtical laws, prepared and intended in the time of Edward VI. in purſuance of an act of parliament of Henry VIII. there was expreſs liberty given by thoſe canons to marry again, which, by virtue of that act of parliament, would have become a general law, or at leaſt have occaſioned one. That whatever objection might be againſt ſuch a general law from the temptation, which it might give ill people to ſeek groundleſs diſſolutions of marriages; yet, upon extraordinary caſes, ſuch as this was, ſuch relief had been granted; and, where it had been denied, either the fact had not been fully proved, or the parties had cohabited, or after the grounds of diſſatisfaction had been reconciled. That, if in ſuch a concurrence of circumſtances, as were in his caſe, he muſt ſtill be thought to have a wife, and the children ſhe had, muſt be looked upon as his, from the common preſumption, till contrary proof, in that they were born within the four ſeas, beſides that he could not but be too

1698.

1698. too great an encouragement to women, to [illegible] of a separate maintenance, which is provid[illegible] marriage-settlements, it would be a most un[illegible] ship upon him, that the standing law, wh[illegible] to do every man right, should, by the rigou[illegible] be to him the cause of the greatest wrong; [illegible] wife's fault, he should be deprived of the co[illegible] of every freeman in the world, to have an [illegible] body, to inherit what he possessed, either of [illegible] or that his only brother should lose his clai[illegible] have his birthright sacrificed to the lady Mac[illegible] gular life.

While this affair was depending in the spiri[illegible] lady Macclesfield insisted upon her innocence, [illegible] industriously spread a report, that the earl her [illegible] been surprized into a private meeting with her, by a woman of intrigue. But, this story being confuted by the earl's positive evidence to the contrary, she gave up that point, and only endeavoured to make her husband the author of her miscarriages. She alledged that the late earl of Macclesfield, her father-in-law, had turned her out of doors; that the present earl, notwithstanding the obligation she had laid upon him, by petitioning king James for his life, had maliciously secluded her from bed and board. And therefore, if [illegible] lords thought fit to pass this bill of divorce, she demanded her fortune to be refunded, both because a divorce [illegible] the whole frame of the marriage conti[illegible] cause it were the highest injustice, that a man, who [illegible] guilty of making his wife commit adultery, should be rewarded out of the same wife's fortune. This affair occasioned great debates in the upper house; some peers representing the danger of granting divorces; and others, amongst whom Mr. Burnet, bishop of Salisbury, spoke the longest, shewing the necessity and lawfulness of such extraordinary proceedings in some particular cases. Upon the whole matter, the lords passed a bill for dissolving the marriage between Charles earl of Macclesfield and Anne his wife, and to illegitimate her children; but with a proviso, that the earl should refund her fortune. This bill being sent down to the commons, the parties concerned were both heard by their counsel; but,
March 5. notwithstanding the lady Macclesfield's opposition, the bill was read the [illegible] time, and passed without any amendments and received the royal assent.[c]

This

[c] On the 21st of May, a com[illegible] of a printed book, intitled [illegible] plaint was made to the commons. The case of Ireland's being bou[illegible]

This ſeſſion upon complaints made, that the woollen manufacture was carried on in Ireland, to the great prejudice of that ſtaple trade in England, the commons took care to ſtop the progreſs of that growing evil. They entered upon a bill for that purpoſe, but it terminated at laſt in an addreſs to the king, importing, "That being very ſenſible, that "the wealth and power of this kingdom do in a great mea- "ſure depend on the preſerving the woollen manufacture, "as much as poſſible, intire to this realm, they thought "it became them, like their anceſtors, to be jealous of the "eſtabliſhment and the increaſe thereof elſewhere, and "to uſe their utmoſt endeavours to prevent it. That they "could 1698.

Addreſs againſt the woollen manufacture in Ireland.

bound by acts of parliament in England ſtated, written by William Molyneux of Dublin, Eſq. [illegible] "enacted alſo, pretending to "oblige the courts of juſtice, "and the great ſeal of England, "by the authority of an Iriſh "parliament, had given occa- "ſion and encouragement to "the forging and publiſhing "the dangerous poſitions con- "tained in this book." After which, the commons in a body preſented an addreſs to the king, wherein having repreſented the caſe, they humbly beſought him, "That he would give effectual "order to prevent any thing "of the like nature for the fu- "ture, and the pernicious con- "ſequence of what was paſſed, "by puniſhing [illegible] and diſcounte- "nancing thoſe, who had been "guilty thereof; that he would "take all neceſſary care, that "the laws which direct and "reſtrain the parliament of Ire- "land in their proceedings be not "evaded, but ſtrictly obſerv- "ed; and that he would diſ- "courage all things which "might in any degree leſſen the "dependence of Ireland upon "England." To this the king anſwered, "That he would "take care, that what was "complained of, might be pre- "vented and redreſſed, as the "commons deſired."

1698. could not without trouble obſerve, that Ireland, which "is dependent on, and protected by England in the enjoy- "ment of all they have, and which is ſo proper for the "linnen manufacture, the eſtabliſhment and growth of "which would be ſo inriching to themſelves, and ſo pro- "fitable to England, ſhould of late apply itſelf to the woul- "len manufacture, to the great prejudice of the trade of "this kingdom; and ſo unwillingly promote the linnen trade, "which would benefit both nations. That the conſequence "thereof would neceſſitate his majeſty's parliament of "England to interpoſe, to prevent this miſchief, unleſs his "majeſty, by his authority and great wiſdom, ſhould find "means to ſecure the trade of England, by making his "ſubjects of Ireland to purſue the joint intereſt of both "kingdoms. Wherefore they implored his majeſty's pro- "tection and favour in this matter; and that he would "make it his royal care, and injoin all thoſe, whom he "employed in Ireland, to uſe their utmoſt diligence to hin- "der the exportation of wool from Ireland (except it be "imported hither) and for the diſcouraging the woollen "manufacture, and the increaſing the linen manu- "facture in Ireland; to which the commons of Eng- "land ſhould always be ready to give their utmoſt aſſiſtance." To this addreſs his majeſty made anſwer, "That he ſhould "do all that in him lay, to promote the trade of England, "and to diſcourage the woollen, and encourage the linnen "manufacture in Ireland."

Par-

[b] About this time, the king writ the following letter to the earl of [illegible]

Kensington, July 16, 16[illegible]

Though I have largely explained to the chancellor of Ireland my ſentiments about the Iriſh affairs, I am willing however to write to you, to tell you, that it was never of ſuch importance to have at preſent a good ſeſſion of parliament, not only in regard to my affairs of that kingdom, but eſpecially of this here. The chief thing that muſt be tried to be prevented, is, that the Iriſh parliament takes no notice of what has paſſed in this here, and that you make inſignificant laws, for the linnen manufacture, and diſcourage as far as poſſible the woollen. The two moſt materi- al points, you have to accom- pliſh, and the third is the ne- ceſſary ſupply for the mainte- nance of the army, of which you know the importance, and to try to get as much as you can- ſibly, after this fellow, I ſhould be very glad not to be obliged, this good while, to have ano- ther parliament in Ireland. I have ſent orders for imbarking at Cilleud the five Engliſh regi- ments, and, inſtead of my own regiment of dragoons of Lippu- ger

Purſuant to this addreſs, the earl of Galway and the other juſtices, in their ſpeech to the parliament in Ireland, September the 27th, recommended to them a bill for encouraging the manufactures of linnen and hemp: "The ſettlement of which, ſay they, will conribute much to people the country, and will be found more advantageous to this kingdom than the woollen manufacture, which being the ſetted, ſtated trade of England, from whence all foreign markets are ſupplied, can never be encouraged here for that purpoſe; whereas the linnen and hempen manufactures will not only be encouraged, as conſiſtent with the trade of England, but will render the trade of this kingdom both uſeful and neceſſary to England." And the houſe of commons in Ireland fell in ſo far with the lords juſtices ſentiments, as to ſay, in their addreſs of thanks to them, "We ſhall heartily endeavour to eſtabliſh the linnen manufacture, and to render the ſame uſeful to England, as well as advantageous to this kingdom. And we hope to find ſuch a temperament, with reſpect to the woollen trade here, that the ſame may not be injurious to England." It was however continually inculcated by the diſaffected, how much more beneficial to that kingdom the woollen manufacture would be than the linnen, and what a hardſhip it was upon the people of Ireland, to be deprived of the privilege of working up their own wool, and ſending the cloth where they pleaſed. Theſe ſuggeſtions were induſtriouſly ſpread about, upon all occaſions, by the factious,

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The linnen and hemp manufactures recommended by the juſtices of Ireland.

ger, I will ſend you two regiments of foot, which will be much the ſame as to expence. Blaauw ſhall write to you about the eſtabliſhment and appointment of the pay of the forces. I ſhall tell you, I am well [illegible] with the chancellor of [illegible]. As his not coming over to the parliament has committed a great overſight, which has got him many enemies, and all the miniſtry here are much incenſed againſt him, as well as the Whig-party; but, in Ireland, it is juſt the contrary, it is the reaſon ſo he'll find it hard to believe in ſuch a man

ner, as not to be involved in difficulties. If bad ſucceſs attends you in the parliament, it is certain that the blame will here be laid on him. I thought it neceſſary to inform you of this circumſtance, that you may take your meaſures accordingly. Be always aſſured of my eſteem.

W. R.

I ſhall ſet out in two days for Holland. I ſend you back the prince of Conti's letter, and approve much of your anſwer to him. I had not an opportunity to let you know it before.

1698. tious, in order to inflame the minds of the people, and foment divisions among them, tho' it was evident, [illegible] English could not indulge them in that trade, without [illegible] ruin of their own at the same time [a].

The parliament prorogued and dissolved. Pr. H. C. III. 90.

Soon after, the king came to the house of peers, and [illegible] ing given the royal assent to several bills, closed the [illegible] with the following speech.

My lords and gentlemen,

"I Cannot take leave of so good a parliament, without "publickly acknowledging the sense I have of the great "things you have done for my safety and honour, and for "the support and welfare of my people. Every one of your "sessions hath made good this character. The happy unit- "ing of us in an association for our mutual defence; the "remedying the corruption of the coin, which had been "so long growing upon the nation; the restoring of credit; "the giving of supplies in such a manner for carrying on "the war, as did by God's blessing produce an honourable "peace;

[a] The city of Londonderry, some time before the address, about the woollen affair, presented a petition to the commons of England, "setting forth their "early and singular services and "sufferings by the defence of "that city against a long and "cruel siege, (which eminently "contributed to the destroying "the designs of the [illegible] "these kingdoms) and shew- "ing, that hereby not only the "greatest part of the city and "suburbs was demolished, but "also that their enhancement "upon the occasion, for for- "tifying [illegible] "ammunition, [illegible] "filling forces, and other pub- "lic [illegible] did amount to pre- "ry considerable [illegible] of money, "of which they gave in an ac- "count. And, that as they had "willingly exposed themselves, "and their all, for the public "interest and service, so they "had patiently these [illegible] "years, lain under their [illegible] "in hope, at the end [illegible] the "war to be so considered, as "they should [illegible] remain "a poor [illegible] to all "[illegible] and "a [illegible] to his ma- "jesty's well affected subjects: "and praying the commons to "recommend their case to his "majesty for his royal favour, "in order to their relief in the "kingdom of Ireland." Upon this the commons addressed the king, that he would be pleased to make some compensation to the city of Londonderry, which, for its eminent sufferings and services, so highly deserved to have some special mark of his favour, for a lasting monument to posterity. The king promised to take it into consideration, but nothing was done in the affair, at least at that time.

" peace; and after that, the making such provisions for 1698.
" our common security, and towards satisfying the debts
" contracted in so long a war, with as little burden to the
" kingdom, as is possible, are such things, as will give a
" lasting reputation to this parliament, and will be a subject
" of emulation to those, who shall come after.

" Besides all this, I think myself personally obliged to
" return my thanks to you, gentlemen of the house of com-
" mons, for the regard you have had to my honour, by the
" establishment of my revenue.

My lords and gentlemen,

" There is nothing I value so much, as the esteem and
" love of my people; and, as for their sakes I avoided no
" hazards, during the war, so my whole study and care shall
" be to improve and continue to them the advantages and
" blessings of peace.

" And I earnestly desire of you all, in your several
" stations, to be vigilant in preserving peace and good order,
" and in a due and regular execution of the laws, especially
" those against profaneness and irreligion."

Then the parliament was prorogued, and two days after July 5.
dissolved, having now late its period of three years, in which
(as the king said in his speech) great things had been done;
the whole money of England was recoined; the king secured
in his government; an honourable peace was made; public
credit was restored; and the payment of public debts was
put on funds.

The chief conduct of affairs lay now in a few hands. The mi-
Among these the lord Somers was most eminent in the nistry's
house of lords; for as he was one of the ablest and most in- good con-
corrupt judges, that ever presided in chancery; so his great duct.
capacity for all affairs made the king consider him beyond all
his ministers; and he well deserved the confidence, that the
king expressed for him on all occasions. In the house of
commons, Mr. Montague, the chancellor of the Exche-
quer, had gained such a visible ascendent over all, who were
zealous for the king's service, that he gave law to the rest,
which he did always with great spirit, but sometimes with
too haughty an air. The fleet was in the earl of Orford's
management, who was both treasurer of the navy, and
at the head of the admiralty. He had brought in many
into the service, who were very zealous for the government;
but

1698. but a ſpirit of impiety and diſſoluteneſs ran through too ma-
ny of them, ſo that thoſe, who intended to caſt a load upon the government, had too great advantages given by ſome of thoſe. The adminiſtration at home was, other-wiſe, without exception, and no grievances were complained of. Sir William Trumbull had been removed, on the 30th of December 1697, from the poſt of ſecretary of ſtate, which was conferred on Mr. James Vernon, who had formerly been ſecretary to the duke of Monmouth, and ſince the revolution chief clerk to the duke of S[illegible] under whom he had for ſeveral years managed all the affairs of the duke's office (which the duke could not attend, by reaſon of his ill ſtate of health) and was afterwards advanced to the place of ſecretary to the lords juſtices, during the king's abſence, which employment he had diſcharged to the king's ſatisfaction [1].

The earl of Portland's embaſſy to France.

On the 12th of January, the earl of Portland ſet out on his embaſſy to France, and in eleven days reached the capital city of that kingdom, having in his way thither been received with extraordinary civility and reſpect.

On the 27th of February, he made his public entry with ſuch extraordinary ſplendor, as had never been ſeen at the court of France ſince the duke of Buckingham's embaſſy,

[1] The earl of Clancarty, who had married one of the earl of Sunderland's daughters, and who, during the war, had made his eſcape from the Tower of London, and fled into France, preſumed, about this time, to return into England, both under the benefit of the peace, and chiefly under the protection, which he expected from his father-in-law. On the laſt day of December, he arrived at London, and went directly to his lady; but he was not a little ſurprized, when, the next morning, upon information given to the government by his brother-in-law, the lord Spencer, a meſſenger was ſent with a warrant to carry him priſoner to Newgate, as being attainted for high-treaſon. However, the earl of Sunderland interceding for him, the king contented himſelf with baniſhing the lord Clancarty his dominions.

On the 5th of January, through the careleſsneſs of a laundreſs, a fire broke out at White-hall, by which all the body of the palace, with the new gallery, council-chamber, and ſeveral adjoining apartments, were intirely burnt down; that famous piece of architecture, the banqueting-houſe, for which the king was ſo particularly concerned, that he ſent meſſenger upon meſſenger from Kenſington for its preſervation, hardly eſcaping the violence of the flames.

when

when he came to demand in marriage for king Charles I. Mary Henrietta of France. 1698.

Some time after his public audience he went to Verſailles, and ſtaid there four days, being lodged in the Hotel de Boullon. The firſt day he was treated by the marſhal de Boufflers, who, in the afternoon, went with him into the gardens, and ſhewed him the water-works. The next day he was invited to dine with monſieur de Livry, maſter of the king's houſhold; and after dinner had a long converſation with the king in the gardens. Here it is by ſome thought, that the project for a partition of the Spaniſh monarchy was opened by the French king [c].

King James paſſed his time very indifferently all that while at St. Germain's; for, beſides the honours which were done to the ambaſſador of the prince, who poſſeſſed his abdicated throne, and which could not but be a ſenſible mortification to him, he was informed, that the lord Portland inſiſted upon the removing of him to a greater diſtance from the French king's preſence; promiſing, in his maſter's name, to give him and his queen an honourable penſion, which would eaſe that king of the great charge he was at in maintaining him and his family, ever ſince they had taken ſanctuary in his dominions. After the concluſion of the late treaty of peace, wherein his concerns were wholly overlooked, king James ſeemed to be abſolutely abandoned; and therefore concluding, that the earl of Portland's demand would be complied with, he was reſolved to retire to Avignon, and began already to [illegible] himſelf, if he could live conveniently there; but he was agreeably ſurprized, when he heard, that the French king would never give ear to the Engliſh ambaſſador's propoſal. The French king won't renounce king James.

The earl of Portland left Paris the 8th of June, after a ſtay of above four months. This embaſſy coſt the king fourſcore thouſand pounds to little purpoſe, it being remark-

[c] During his ſtay at Verſailles, there happened a paſſage between Mr. Prior, the ſecretary of the embaſſy, and one of the French king's officers, which deſerves to be related. As the officer was conducting Mr. Prior about the apartments, among other curioſities, he ſhewed him thoſe fine pieces of Le Brun, which repreſent the French king's victories; and aſked him, Whether king William's actions were alſo to be ſeen in his palace? "No, ſir, replied Mr. "Prior, the monuments of my "maſter's actions are to be ſeen "every where but in his own "houſe."

ed,

1698.

ed, that no ambassador was ever more honoured or less successful than the earl of Portland, who could obtain nothing either as to the removal of king James, or in favour of the protestants of France, against whom the persecution, which in many places had been interrupted during the war, began now to rage afresh with redoubled violence. As for the earl himself, he was so far from gaining any thing by his embassy, that on the contrary he found at his return, that Mr. Keppel was become a great favourite. Keppel was the son of Pellant lord of Keppel in Guelderland, by a daughter of Opdan, one of the chief lords of the states of Holland. He was raised from being a page of honour into the highest degree of favour that any person had ever attained about the king. He was now made earl of Albemarle, and soon after knight of the garter, and by a quick and unaccountable progress he seemed to have engrossed the royal favour so intirely, that he disposed of every thing in the king's power. He was a chearful young man, who had the art to please, but was so much given up to his pleasures, that he could scarce submit to the attendance and drudgery, that were necessary to maintain his post. He never had yet distinguished himself in any thing, though the king did it in every thing. He was not cold nor dry, as the earl of Portland was thought to be, who seemed to have the art of creating many enemies to himself, and not one friend. But the earl of Albemarle had all the arts of a court, was civil to all, and procured many favours. The earl of Portland observed the [illegible] of this favour with great uneasiness. They [illegible] to be not only incompatible, as all rivals for favour must needs be, but to hate and oppose one another in every thing, by which the king's affairs suffered much. The one had [illegible] the confidence, and the other much more of the favour. The king had heaped many grants on the earl of Portland, who, upon his return from his embassy, could not bear the visible superiority in favour, that the other was grown up to; so he took occasion, from a small preference, that was given him, in prejudice of his own post, as groom of the stole, to withdraw from the court, and laid down all his employments. The king used all possible means to divert him from this resolution, but without prevailing on him. He consented to serve the king still in his affairs, but he would not return to any post in the houshold; and not long after was employed in the negotiation, set on foot for the succession to the crown of Spain.

The earl of Portland supplanted by the earl of Albemarle.

France

1698.

France reaped but ſmall benefit from the peace as to her commerce, which continued almoſt as dead as in time of war. It is true, ſome Engliſh and Dutch came to Bourdeaux and Roan, in order to take in wine and paper, and brought other commodities to be ſold there. But the tariff not being regulated between all the parties, and the treaty of Ryſwick mentioning only, that, in relation to Holland, it ſhould be put upon the ſame foot, as it was agreed in 1664, which was not yet done; and in reſpect to England, that commiſſioners appointed by both kings ſhould meet at London, three months after the ratification, to determine all differences; this, together with the loſs of at leaſt 20 per cent. by the money, which the French king, to ſupply his preſent neceſſities, had raiſed to an extravagant rate, obliged moſt of thoſe ſhips to return home, without either ſelling or buying any thing. Upon this, the States-general ſent deputies to the king of France to demand the regulation of the tariff, purſuant to the late treaty. But the trade of Holland being far leſs advantageous to France than that of England, by reaſon the Dutch uſe to import more of their own commodities into that kingdom than they export of the growth of it from thence, and that, on the contrary, the Engliſh were accuſtomed, before the war, to ſend great ſums of money yearly into France, not only for wines, paper, ſtuffs, linnen, hats, and ſilks, [illegible] abundance of things of leſs importance [illegible] which could not be made with what they [illegible] and manufacture of England [illegible] reſolved to keep up the [illegible] Hollanders, while they deſigned to [illegible] But, monſieur Philippeaux d'Herbaut being [illegible] as commiſſary-general from the French king, for regulating the commerce between the two nations, he found inſuperable difficulties in his commiſſion, not only becauſe of the high duties laid by the parliament on all French goods, and which were already appropriated to ſeveral uſes, but alſo becauſe the Engliſh had by this time learned to be without the commodities of the product of France, ſupplying themſelves, for the moſt part, with wine from Italy, Spain, and Portugal; with linnen from Holland and Sileſia; and with paper, ſtuffs, hats, and ſilks, by the manufactures of theſe goods ſet up in England by the French refugees.

France tries in vain to reſettle the trade with England.

About this time, the king ſettled the houſhold of the duke of Glouceſter, who was entering the tenth year of his age, and

The duke of Glouceſter's houſhold ſettled.

1698. and gave manifeſt proofs of an excellent genius. The [illegible] of Marlborough, who was reſtored to favour, was made governor [f], and at the ſame time ſworn of the privy council. The biſhop of Saliſbury was appointed his preceptor, having under him Mr. Willis, chaplain to the king, afterwards biſhop of Durham, and Dr. Frat to aſſiſt in this function. Biſhop Burnet did all he could to excuſe himſelf, having hitherto had no ſhare in the princeſs's favour or confidence. He was alſo become uneaſy at ſome things, in the king's conduct, and, though he conſidered him as the glorious inſtrument of many great things to the nation, he could not help thinking, he might have carried matters further than he did; and that he was giving his enemies handles to weaken his government. Theſe conſiderations diſpoſed him rather to retire from the court, than to engage deeper in ſuch a conſtant attendance, for ſo many years, as this employment might laſt. But the king would truſt that care with him, and the princeſs gave him ſuch encouragement, that he reſolved not only to ſubmit to this, but to give himſelf wholly up to it. He took to his own province the inſtructing the young prince in the principles of religion, and the rules of virtue, and the giving him a view of hiſtory, geography, politics, and government. At the ſame time, he reſolved to look very exactly to all the maſters, that were appointed to teach him other things.

Affairs of Scotland. Scotland was now in a ſort of ferment, occaſioned by the oppoſition their African and Weſt-India company met with in the proſecution of their ſcheme for ſettling a trade to Africa, and a colony in America. The company had endeavoured by their agents to get ſubſcriptions in England, Holland, and Hamburgh, and had met with encouragement from private perſons in all thoſe places. The Engliſh and Dutch India and African companies took the alarm, and a ſtop was put to the ſubſcriptions, the Scotch agents were taking. The king was even prevailed with to permit his miniſter at Hamburgh to preſent a memorial to the ſenate againſt it. Upon this the Scots India Company laid open their grievances before the parliament (which was now aſſembled at Edinburgh, the earl of Marchmont being the king's commiſſioner) repreſenting, "That whereas the wiſdom of "the king and parliament had thought fit, by two ſeveral

[f] When the king delivered the young prince to him, he ſaid, "My lord, teach him but "to be, what you are, and my "nephew cannot want accompliſhments.

"ſolemn

1698.

[illegible] acts and letters patents under the great ſeal of that [illegible]dom, to eſtabliſh their company with ſuch power, [illegible]ges, and immunities, as were needful to encourage [illegible]ch new undertaking in that nation, and particularly [illegible]e a joint ſtock in ſuch manner, as they ſhould think [illegible]d, for that end, to infranchiſe ſuch foreigners, as [illegible] become partners with them, and to enter into [illegible] of commerce with any in amity with his majeſty [illegible]t effect; that thoſe of their number, who were [illegible]truſted with the management of that affair, did "think it moſt natural to make the firſt offer of ſharing "their ſaid privilege with their countrymen, and other neigh-"bours in England, as living under the ſame monarchy; "and that they not only readily embraced the offer, but in "nine days ſubſcribed 300,000l. ſterling, as the one half of "the capital ſtock then propoſed, and actually paid in the "firſt fourth part thereof, part in ſpecie, part in bank notes, "payable upon demand. That both houſes of parliament "of England taking umbrage at thoſe proceedings, had not "only jointly addreſſed his majeſty for fruſtrating the ends "of the ſaid acts, but the houſe of commons had alſo ap-"pointed a committee to examine what methods were taken "for obtaining the ſaid acts of parliament for eſtabliſhing "their company; who were the ſubſcribers thereunto, and "who were the promoters and adviſers thereof; with power "to ſend for perſons, papers, and records: And that pur-"ſuant thereto [illegible] had given orders to ſum-"mon [illegible] the Engliſh ſubſcribers, but even ſome per-"ſons reſiding there in Scotland, as by the ſaid addreſs, "votes of the houſe of commons, and copy of the ſaid ſum-"mons did appear. By all which, together with ſome "other meaſures then taken, their friends in England were, "to their great loſs, diſappointment and retardment, forced "to relinquiſh their enterpriſe. That, notwithſtanding that "diſcouragement, not only moſt of the nobility, gentry, "and merchants, and the whole body of the royal boroughs, "had, upon the inducement and public faith of the ſaid acts "of parliament and letters patents, contributed as adventur-"ers in raiſing a far more conſiderable joint ſtock, than any "was ever before raiſed in the kingdom for any public un-"dertaking or project of trade whatſoever; which made it "of ſo much the more univerſal a concern to the nation. "But they had alſo all the promiſing hopes of foreign aid, "that their hearts could wiſh, eſpecially at Hamburgh, "where the merchants of that city entered into contract with

1698. "their deputies, to join at leaſt 200,000l. ſterling with "them; till, to their great ſurpriſe and loſs, the Engliſh "miniſters there had, under pretence of a ſpecial warrant "from his majeſty, put a ſtop thereto, by giving in a me- "morial to the ſenate of that city, not only diſowning the "authority of the acts of parliament and letters patents, "but alſo threatening both ſenate and inhabitants with the "king's utmoſt diſpleaſure, if they ſhould countenance or "join with them in any treaty of trade or commerce; which "memorial they prayed might, for the better information of "his grace and the eſtates, be read in parliament. That, "after the memorial was by the ſenate tranſmitted to the "Commerci or body of merchants of that city, they, to "aſſert their own freedom, had adviſed and prevailed upon "their (the Scots) deputies and agents, who were there for "the time, to open books in the merchants hall, where for "ſome days they ſigned conſiderable ſums, purſuant to their "contract, though under condition to be void, if they ſhould "not procure ſome declaration from the king, that might "render them ſecure from threatenings and other inſinua- "tions contained in the memorial. That as the reaſonable "(nay, and unqueſtionable) proſpect, which they had of "a powerful aſſiſtance from Hamburgh, and ſeveral other "places (if not obſtructed) had induced them to prepare a "far greater equipage at firſt, than otherwiſe they would "have done; ſo the rendering theſe meaſures abortive had "not only weakened their ſtock, leſſened their credit, re- "tarded their firſt expedition, and diſheartened many of "their partners at home, but even ſlackened their reſolution "and power from proſecuting, at that time, ſeveral other "branches of foreign and domeſtic trades and improve- "ments, which they had in view, if they had not met with "ſuch obſtructions and diſcouragements from time to time. "That, though their company was more immediately and "ſenſibly touched in many reſpects by ſuch proceedings than "any other, yet they humbly conceived alſo, that the honour "and independency of the nation, as well as the credit "and authority of the parliament, was ſtruck at through "their ſides. That they could not as countrymen, and in "duty to that collective power, which gave their company "firſt a being, but inform his grace, his majeſty's high com- "miſſioner, and the eſtates of parliament, of the premiſes, "to the end that the great-council of the nation (then aſ- "ſembled) might do therein, as they in their profound wiſdom "and diſcretion ſhould think fit. That, as to what con-

"cerned

" cerned their company in particular, they ſhould humbly 1698.
" beg leave to ſuggeſt farther, that, the ſhips being then at
" ſea on their intended voyage, the former treatment, which
" their company met with in England and elſewhere, might
" give them juſt grounds to ſuſpect, that, if, either through
" multiplicity of public affairs, or otherwiſe howſoever, his
" grace and the eſtates of parliament ſhould neglect the
" taking preſent notice of ſuch umbrage, the enemies of
" their company would be thereby encouraged either directly
" or indirectly to purſue their former deſigns of ruining (if
" poſſible) all their meaſures. Therefore they deſired his
" grace and the eſtates of parliament, to take the premiſes
" into their ſerious conſideration, to vindicate their com-
" pany's reputation abroad, by ſupporting the credit of
" the acts of parliament and letters patents, by which the
" ſame was eſtabliſhed, and wherein the honour of the na-
" tion was ſo much concerned; to take effectual meaſures
" for repairing the great loſs and damages, which they had
" already ſuſtained through the unwarrantable treatment a-
" bovementioned, as well as for preventing the like for the
" time to come; and withal to continue to them the privi-
" leges and exemptions mentioned in the acts of parliament
" and letters patents, for ſome longer time, in conſideration
" of the time already elapſed without execution, and their
" ſtock lying dead without improvement, by reaſon of theſe
" obſtructions."

The parliament, having maturely weighed this petition, thought fit, by way of addreſs, humbly to repreſent to his majeſty, on the 5th of [illegible]; That having conſidered a " repreſentation made to them by the council-general of the " company trading to Africa and the Indies, which men- " tioned ſeveral obſtructions, that they met with in the pro- " ſecution of their trade, particularly by a memorial pre- " ſented to the ſenate of Hamburgh, by his majeſty's reſi- " dent in that city, tending to leſſen the credit of the rights " and privileges granted to the company, by an act of the " then preſent parliament: They therefore laid before his " majeſty the whole nation's concern in that matter; and " they did moſt earneſtly intreat, and moſt aſſuredly expect, " that his majeſty, in his royal wiſdom, would take ſuch " meaſures, as might effectually vindicate the undoubted " rights and privileges of the company, and ſupport the credit " and intereſt thereof: And as they were in duty bound to " return his majeſty moſt hearty thanks for the gracious aſ- " ſurance his majeſty had been pleaſed to give them, of all " due encouragement for promoting the trade of that king-

1698. "dom; ſo they were thereby encouraged humbly to re-
"commend to the more eſpecial marks of his royal favour
"the concerns of the company, as that branch of their
"trade, in which they and the nation, which they repreſent-
"ed, had a more peculiar intereſt."

The company having thus engaged the parliament to eſpouſe their intereſt, they ſeconded their addreſs by a petition to the king, dated the 10th of Auguſt, and importing, "That whereas the parliament had, by their addreſs, been "pleaſed to recommend the concerns of the company to his "majeſty, for ſupporting the credit and intereſt thereof, "which had already ſuffered in a great meaſure, by reaſon "of the ſeveral obſtructions, which they had met with in "the proſecution of their trade, particularly by a memorial "given in to the ſenate of Hamburgh, by his majeſty's mi-"niſter there; theſe encouraged them, with all humility, "to lay before his majeſty, that, as the memorial was "given in to the ſenate of Hamburgh in a moſt ſolemn and "public manner, ſo they humbly conceived, that the effects "thereof could not be taken away, but by ſome intimation "made to the ſenate, that they might enter into commerce "with them as freely and ſecurely in all reſpects, as they "might have done, before the giving in of the memorial. "That, in conſideration of the damages ſuſtained by the "company, his majeſty would be pleaſed, for their en-"couragement, as a gracious mark of his royal favour, to "beſtow upon them the [illegible] of the frigates then "lying uſeleſs in Brunt-iſland Harbour: And that in regard "of the time loſt, by reaſon of [illegible] obſtructions, his ma-"jeſty would be graciouſly pleaſed to continue the privileges "granted by act of parliament to the company, of being "cuſtom-free for ſuch longer time, as his majeſty ſhould "think fit."

This affair occaſioning great heats and diſcontents in the parliament, the commiſſioner put a ſtop to their proceedings, towards the beginning of September, and adjourned them to the 5th of November.

During this interval, there being two letters ſent from Mr. Stevenſon, the company's agent at Hamburgh, to the court of directors of the company, concerning the Hamburgh memorial, this occaſioned another letter from the directors of the company to the lord Seafield, who was appointed ſecretary of ſtate, wherein they declared, "That they had, by order of "the council-general of their company, the copies of two "letters received from their company's agent at Hamburgh "to his lordſhip; upon the reading whereof the day before,

"at

" at a meeting of the council-general, they were not a little 1698.
" ſurprized at the contents, conſidering the many repeated
" aſſurances they had formedy by letters and word of mouth,
" and even in parliament, that the king had given orders to
" his miniſter at Hamburgh, with relation to the memorial
" given in to the ſenate of that city againſt their company:
" But, after ſome reaſoning thereupon, and conſidering how
" far his lordſhip's frank undertaking, when in Scotland, as
" well as the ſtation he was in, did engage his beſt endeavours
" to procure the company juſtice, and vindicate the company's
" rights in that matter, they had ordered them (the court of
" directors) to tranſmit the ſaid copies to his lordſhip, and
" expected his lordſhip's anſwer to that and their late petition
" to his majeſty, before they remonſtrated any further with
" relation thereunto." Upon this the ſecretary acquainted Dec. 3.
the court of directors, by a letter ſent to Sir John Schaw, their
preſident, " That he would take the firſt convenient oppor-
" tunity he could have, to repreſent the matter to the king;
" but could not yet expect to have it, his majeſty being very
" much employed in the affairs of the Engliſh parliament."

The king having appointed the lords juſtices to govern in his abſence, of whom the earl of Marlborough was one, he ſet out the 20th of July for Holland, where he landed the next day. Before his departure from England, news came from Spain, that their king was dying. This alarm had been often given before, but it came much quicker now. The French, upon this, ſend a fleet to lie before Cadiz, which came thither at the time that the galleons were expected home from the Weſt-Indies; and it was apprehended, that, if that king had died, they would have ſeized on all that treaſure. A fleet was ſent from England thither to ſecure them; but it came too late to have done any ſervice, if it had been needed. This was much cenſured; but the admiralty excuſed themſelves, by ſaying, that the parliament was ſo late in fixing the funds for the fleet, that it was not poſſible to be ready ſooner than they were. The king of Spain recovered for that time, but it was ſo far from an entire recovery, that a relapſe was ſtill apprehended. When the king therefore went to Holland, he left ſealed orders behind him, of which ſome of his miniſters declared, they knew not the contents till they were opened. By theſe the king ordered ſixteen thouſand men to be kept up. For excuſing this, it was ſaid, that though the parliament had, in their votes, mentioned only ten thouſand land-men, to whom they had afterwards added three thouſand marines, and had raiſed only the money neceſſary for that number, yet no determined number was mentioned in the

The king goes abroad July 20. The king of Spain's ill ſtate of health.

1698. act itſelf. And therefore, ſince the apprehenſion of the king of Spain's death made it adviſeable to have a greater force ready for ſuch an accident, the king reſolved to keep up a force ſomewhat beyond that which the houſe of commons had conſented to. The leaving theſe orders ſealed made the whole blame to be caſt ſingly on the king, as it ſkreened the miniſters from a ſhare in this counſel: And miniſters have been more than once known to put the advices, that they themſelves gave, in ſuch a manner on their maſter, that, in executing them, the kings have taken more care to ſhelter their miniſters, than to preſerve themſelves.

Negotiations for the partition treaty

The king, upon his arrival at Holland, having aſſiſted at the aſſembly of the ſtates-general, and given audience to ſeveral public miniſters, particularly to the envoy of Lorrain, who notified to him the marriage of the duke his maſter, with madamoiſelle, daughter of the duke of Orleans, he went to Loo, attended by the earls of Eſſex, Portland and Selkirk, and ſeveral other perſons of quality. He had not been long there, before he was waited upon by count Tallard the French ambaſſador, who had orders not to ſuffer him to cool upon the propoſal made by the French king to the earl of Portland, concerning the ſucceſſion of the crown of Spain; which overture king William had communicated to the lord chancellor Sommers before he left England. The French ambaſſador having preſſed him for an anſwer, the earl of Portland, by the king's order, wrote a letter to Mr. Secretary Vernon, wherein it was contained, that count Tallard having declared, that all accommodation ought be found in relation to the Spaniſh [illegible] that king had founded France upon the condition [illegible] was in reſidence, that the electoral prince of Bavaria ſhould have the kingdom of Spain, the Indies, and [illegible] and all that depended upon the Spaniſh dominions, except Naples and Sicily, Sardinia, the provinces of Guipuſcoa on this ſide of the Pyrenees, Fontarabia, and St. Sebaſtian, Final, and the places in Tuſcany, of which Spain ſtood poſſeſſed; in conſideration of which, France was abſolutely to renounce the right, which it pretended to the ſucceſſion of Spain. And as for Milan, it was to be given to the archduke Charles, the emperor's ſecond ſon.

Aug. 6. N. S.

At the ſame time the king himſelf ſent the following letter to the lord chancellor Sommers:

The king's letter to

"I Imparted to you, before I left England, that in France there was expreſſed to my lord Portland ſome inclination

"to

1698.

" to come to an agreement with us, concerning the ſucceſſion of the king of Spain; ſince which count Tallard has mentioned it to me, and has made ſuch propoſitions, the particulars of which my lord Portland will write to Vernon, to whom I have given orders not to communicate them to any other beſides yourſelf, and to leave to your judgment to whom elſe you would think proper to impart them; to the end that I might know your opinion upon ſo important an affair, and which requires the greateſt ſecrecy. If it be fit this negotiation ſhould be carried on, there is no time to be loſt, and you will ſend me the full powers under the great ſeal, with the names in blank to treat with count Tallard. I believe this may be done ſecretly, that none but you and Vernon, and thoſe to whom you ſhall have communicated it, may have knowledge of it, ſo that the clerks, who are to write the warrant and the full powers, may not know what it is. According to all intelligence, the king of Spain cannot outlive the month of October, and the leaſt accident may carry him off every day. I received yeſterday your letter of the 9th. Since my lord Wharton cannot at this time leave England, I muſt think of ſome other to ſend ambaſſador to Spain; if you can think of any one proper, let me know it, and be always aſſured of my friendſhip."

the lord Sommers. Aug. 15.

WILLIAM R.

Mr. Secretary Vernon having ſent the earl of Portland's letter to the lord Sommers, who was then at Tunbridge for the benefit of the waters, the chancellor immediately returned the letter to Mr. Vernon, and deſired him to communicate the contents of it to the earl of Orford, Mr. Mountague, and the duke of Shrewſbury; which he thought "the beſt way of executing the king's commands; at the ſame time letting them know, how ſtrictly his majeſty required, that it ſhould remain an abſolute ſecret;" which caution made Mr. Vernon impart it to the duke of Shrewſbury only, as he afterwards acquainted my lord Sommers.

Some time after Mr. Mountague and Mr. Secretary Vernon going down to Tunbridge, the lord chancellor and they debated this important affair; and his lordſhip wrote a letter to the king, dated the 28th of Auguſt, acquainting him with the reſult of their conſultation [a]. But, before this letter reached

[a] The lord Sommer's letter was as follows:

SIR,

1698. reached the king, the firſt treaty of partition was ſigned. The perſons, commiſſioned by king William, were the earl of

SIR,

" Having your majeſty's permiſſion to try if the waters " would contribute to the re-" eſtabliſhment of my health, I " was juſt got to this place " when I had the honour of " your commands. I thought " the beſt way of executing " them would be to communi-" cate to my lord Orford, Mr. " Mountague, and the duke of " Shrewſbury (who, before I " left London, had agreed up-" on a meeting about that time) " the ſubject of my lord Port-" land's letter, at the ſame time " letting them know how ſtrict-" ly your majeſty required, that " it ſhould remain an abſolute " ſecret.

" Since that time Mr. Moun-" tague and Mr. Secretary are " come down hither; and upon " the whole diſcourſe three " things have principally oc-" curred, to be humbly ſug-" geſted to your majeſty.

" Firſt, That the entertain-" ing a propoſal of this nature " ſeems to be attended with " very many ill conſequences, " if the French did not act a " ſincere part; but we were " ſoon at eaſe, as to any ap-" prehenſion of this ſort, being " fully aſſured your majeſty " would not act but with the " utmoſt nicety, in an affair " wherein the glory and ſafety " of Europe were ſo highly " concerned.

" The ſecond thing conſider-" ed was the very ill proſpect " of what was like to happen " upon the death of the king " of Spain, in caſe nothing " was done previouſly towards " the providing againſt that ac-" cident, which ſeemed pro-" bably to be very near: the " king of France having ſo " great a force in ſuch a readi-" neſs, that he was in a con-" dition to take poſſeſſion of " Spain, before any other prince " could be able to make a " ſtand. Your majeſty is the " beſt judge whether this be the " caſe, who are ſo perfectly in-" formed of the circumſtances " of parts abroad.

" But, ſo far as relates to " England, it would be want " of duty not to give your " majeſty this clear account, " that there is a deadneſs and " want of ſpirit in the nation, " univerſally ſo, as not at all to " be diſpoſed to the thought of " entering into a new war, and " that they ſeem to be tired out " with taxes to a degree, be-" yond what was diſcerned, till " they appeared upon the occaſion " of the late elections; this is " the truth of the fact, upon " which your majeſty will deter-" mine what reſolutions are " proper to be taken.

" That which remained was " the conſideration what would " be the condition of Europe, " if the propoſal took place: " Of this we thought ourſelves " little capable of judging; but " it ſeemed, that, if Sicily was " in the French hands, they " will be entirely maſters of " the Levant trade; that if " they were poſſeſſed of Final, " and thoſe other ſea-ports on " that ſide, whereby Milan " would be entirely ſhut out

" from

of Portland and ſir Joſeph Williamſon, who was afterwards winked at when this affair came under the conſideration of the 1698.

" from relief by ſea, or any " other commerce, that duchy " would be of little ſignification " in the hands of any prince; " and that, if the king of " France had poſſeſſion of that " part of Guipuſcoa, which is " mentioned in the propoſal, " beſides the ports he would " have in the ocean, it does " ſeem he would have as eaſy a " way of invading Spain on " that ſide, as he now has on " the ſide of Catalonia.

" But it is not to be hoped, " that France will quit its pre- " tences to ſo great a ſucceſſion, " without conſiderable advan- " tages; and that we are all " aſſured, your majeſty will re- " duce the terms as low as can " be done, and make them, as " far as is poſſible in the preſent " circumſtances of things, ſuch " as may be ſome foundation " for the future quiet of Chriſt- " endom; which all your ſub- " jects cannot but be convinced " is your true aim. If it could " be brought to paſs that Eng- " land might be ſome way a " gainer by this tranſaction, " whether it was by the elec- " tor of Bavaria, (who is the " gainer by your majeſty's in- " terpoſition in this treaty) his " coming to an agreement to " let us into ſome trade to the " Spaniſh plantations, or in any " other manner, it would won- " derfully endear your majeſty " to your Engliſh ſubjects.

" It does not appear, in caſe " this negotiation ſhould pro- " ceed, what is to be done on " your part, in order to make " it take place: whether any " more be required than the " Engliſh and Dutch ſhould ſit " ſtill, and France itſelf to ſee " it executed. If that be ſo, " what ſecurity ought to be ex- " pected, that if, by our being " neuters, the French be ſuc- " ceſsful, they will confine them- " ſelves to the terms of the trea- " ty, and not attempt to make " further advantages of their " ſucceſs?

" I humbly beg your ma- " jeſty's pardon that theſe " thoughts are ſo ill put toge- " ther: theſe waters are known " to diſcompoſe and diſturb the " head, ſo as almoſt totally to " diſable one from writing. I " ſhould be extremely troubled, " if my abſence from London " has delayed the diſpatch of " the commiſſion one day. You " will be pleaſed to obſerve, " that two perſons (as the com- " miſſion is drawn) muſt be " named in it, but the powers " may be executed by either of " them. I ſuppoſe your ma- " jeſty will not think it proper " to name commiſſioners that " are not Engliſh, or natura- " lized, in an affair of this na- " ture.

" I pray God give your ma- " jeſty honour and ſucceſs, in all " your undertakings. I am, " with the utmoſt duty and re- " ſpect,

" SIR,

" Your majeſty's
" moſt dutiful and
" moſt obedient
" ſubject and ſervant."

P. S. The

1698. the parliament, while the lord Sommers for his faithful advice was impeached. By this treaty it was agreed:

The first treaty of partition.

I. That the peace of Ryſwick ſhould be confirmed.

II. That in conſideration of the ill ſtate of the king of Spain's health, and for preſerving the public peace, in caſe the ſaid prince ſhould die without iſſue, the kingdom of Naples and Sicily, with the places then depending upon the Spaniſh monarchy, ſituated on the coaſt of Tuſcany, or the adjacent iſlands, comprehended under the name of Santo Stephano, Porto Hercole, Orbitello, Telamone, Portolongo, Piombino, the marquiſate of Final, the province of Guipuſcoa, particularly the towns of Fontarabia and St. Sebaſtian, and eſpecially the Port Paſſage; and likewiſe all places on the French ſide of the Pyrenees, or the other mountains of Navarre, Alava, or Biſcay, on the other ſide of the province of Guipuſcoa, with all the ſhips and gallies, and other appurtenances belonging to the gallies, ſhould be given to the Dauphin, in conſideration of his right.

III. That the crown of Spain, and the other kingdoms and places both within and without Europe, ſhould deſcend to the electoral prince of Bavaria, of whom his father, the elector, was to be a guardian and adminiſtrator till he came of age.

IV. That the duchy of Milan ſhould be reſtored and allotted to archduke Charles, the emperor's ſecond ſon.

This treaty was to be communicated to the emperor and the elector of Bavaria by king William and the ſtates-general; and, if they did not agree to it, then the proportion of the party not agreeing ſhould remain in ſequeſtration, 'till things could be brought to an accommodation: and in caſe the electoral prince of Bavaria ſhould come to inherit his ſhare, and yet die before his father without iſſue, the elector was to ſucceed him in thoſe dominions, and his heir after him. The duchy of Milan likewiſe, upon the archduke's refuſal to accept it, was to be ſequeſtred to, and governed by the prince of Vaudemont, and after him by his ſon, prince Charles of Vaudemont.

Intrigues of France in Spain.

Whilſt the French king was negotiating the treaty of partition, the marquis d'Harcourt, his ambaſſador in Spain,

P.S. The commiſſion is wrote by Mr. Secretary, and I have had it ſealed in ſuch a manner, that no creature has the leaſt knowledge of the thing, beſides the perſons named.

was

was playing another ſort of game at Madrid. The queen of Spain, who was nearly related to the king of the Romans, and conſequently intirely in the intereſt of the houſe of Auſtria; foreſeeing the deſigns of the French king, had early concerted meaſures with count d'Harrach, the Imperial miniſter, to diſappoint them. She had not only got her creatures into the council, but likewiſe procured the viceroyalty of Catalonia to be beſtowed on the prince of Heſſe d'Armſtadt, and the government of Milan on prince Vaudemont, who had both upon many occaſions ſignalized their zeal for the German intereſt. It was propoſed to make prince Eugene Viceroy of Navarre; but the oppoſition that met with in the Spaniſh councils, not only prevented it, but gave too plain indications of the influence of France in the council of Spain. The duke of Medina Celi was now viceroy of Naples, and it was thought adviſeable to continue him there, by reaſon of his being one of the moſt conſiderable grandees of Spain, and moſt beloved of the people, and who conſtantly might obſtruct the deſigns of the German party, if he came home diſguſted. This was the ſituation of the Spaniſh affairs, when the French ambaſſador arrived at Madrid. His inſtructions were, if he ſaw no poſſibility to get the ſucceſſion of that kingdom ſettled upon one of the Dauphin's ſons, he ſhould endeavour at leaſt to hinder it from devolving on any of the emperor's children, on whom it was ſettled by the will of Philip IV. the king of Spain's father. To add weight to the ambaſſador's inſtances, and awe the Spaniards into a compliance, he cauſed ſixty thouſand of his beſt troops to file off towards the frontiers of Catalonia and Navarre, and ſent a conſiderable number of his ſhips of war and gallies into ſeveral ports of Spain. The marquis d'Harcourt followed his inſtructions with great application. He told thoſe whom he found inclinable to act in concert with him in ſo important an affair, that Philip IV. had exerted his power too far, in diſpoſing of his crown againſt the laws of nature and the conſtitution of the realm. That the ſucceſſion lawfully belonged to his daughter's children, and not to his relations four degrees removed. That the dauphin, ſon to Maria Thereſa the preſent king of Spain's ſiſter, had three ſons: and, if the Spaniards would fix their eyes upon the ſecond of them, the duke of Anjou, to be their king, he being ſtill as pliable as wax, they might eaſily mould him to the cuſtoms and manners of their country: that, if they were averſe to this overture, the electoral prince of Bavaria being grandſon of a daughter of Spain, the king of France would rather approve 1698.

1698. approve of him to ſucceed in the Spaniſh monarchy, than any of the emperor's children; unleſs, as the Poles had done, to cut off the pretenſions of foreign princes, they would chuſe a ſovereign among themſelves; in which the king of France would protect them, ſince he never intended to unite Spain to his own kingdom, but only to keep it from falling into the hands of the houſe of Auſtria, which was already grown too powerful by the late conqueſts in Hungary. The queen of Spain having a watchful eye upon the French ambaſſador, who made it his buſineſs to thwart her deſigns in favour of the emperor, ſoon diſcovered his practices; and therefore, under pretence that the air of Madrid was prejudicial to the king's health, ſhe carried him to Toledo, without allowing any foreign ambaſſador to follow him thither. Harcourt quickly penetrated into the deſign of the queen's journey, and judged very rightly, that, being there ſole miſtreſs of the king, ſhe might eaſily prevail with him to ratify king Philip the IV's will. He was confirmed in this apprehenſion by count Harrach's being no more to be ſeen at Madrid; and, ſuppoſing he was gone to Toledo, he went immediately thither himſelf, under pretence of a memorial, which he pretended to have received from his maſter, with poſitive orders not to communicate it to any beſides his catholic majeſty. The queen was extremely ſurprized at the unexpected arrival of the French ambaſſador, and cauſed the king to acquaint him, that he had left the cardinal of Corduba (one of the queen's creatures) at Madrid, to take care of foreign affairs, during his abſence, to whom he might have communicated his memorial, and that he only came thither to recover his health, and not to trouble himſelf with buſineſs. This pretended memorial was, it ſeems, to offer to the king of Spain the French king's aſſiſtance to raiſe the ſiege of Ceuta, which the queen was too wiſe to let the king accept, ſince by that means the French would have got, what ſhe was endeavouring to prevent, a footing and intereſt in Spain. Harcourt, after this unſucceſsful journey, bethought himſelf of another ſtratagem, and, being returned to Madrid, ſo powerfully worked upon the ambition of cardinal Portocarrero, that he engaged him in the intereſt of France.

Alliance between France and Sweden.

While theſe things paſſed in Spain, the French were not leſs buſy to ſtrengthen themſelves, by an alliance with the crown of Sweden, which at length was concluded at Stockholm on the ninth of July. It was declared in the ſecond article, that "that the aim and intention of this treaty was

to

" to preſerve and ſecure the common peace by ſuch means, 1698.
" as ſhould be judged moſt proper and convenient."

In this manner did the French king amuſe the foreign courts with his pretended endeavours to preſerve the tranquility of Europe, when he was meditating how to break it, upon the firſt news of the king of Spain's death, which was hourly expected at the court of France. For, to ſay nothing of the motions of his land and naval forces, already mentioned, he cauſed a great camp to be formed at Compeigne, the pretence of which was to inſtruct the duke of Burgundy in the art of war; but which gave no ſmall umbrage to the neighbouring princes and ſtates, who looked upon it as deſigned to make a ſudden irruption into the Spaniſh Netherlands. However, the unexpected recovery of the king of Spain's health, as it diſappointed the hopes of the French king, ſo it diſpelled the fears of the reſt, at leaſt for this year.

King William having made a viſit to the duke of Zell, it gave the court of France as much uneaſineſs as the camp at Compeigne gave the allies, though it is certain, the king's chief view was to cement the union of the princes of Germany by a match between the king of the Romans and the princeſs of Hanover, which was now agreed on, and ſoon after compleated; and by removing the apprehenſions, which ſome members of the empire were under, of the growing power of the emperor; which the king did effectually, in concert with the ſtates-general, by putting a ſtop to the Hungarian war, which had continued for above fifteen years. The armies on both ſides were indeed conſiderable in number and ſtrength this ſummer; but yet there ſeemed no great diſpoſition in either for action, but rather an inclination in the contending parties to ſet up a treaty under the mediation of the lord Paget, the Engliſh, and Mr. Colliers the Dutch ambaſſador; who towards the middle of Auguſt arrived in the Turkiſh camp near Belgrade, and by their good offices the place of conference was agreed upon to be between Peterwaradin and Salankemen; the emperor's and the confederate miniſters being to reſide at Carlowitz, the ſultan's at Salankemen, and the mediators between the two places. It was on the ſeventh of November when the mediators delivered to the Turkiſh plenipotentiaries the preliminary articles, which were in ſubſtance, that each party ſhould retain what he poſſeſſed. And the five following days were ſpent in preparing matters, upon which they were to enter into conference. And now there aroſe a great diſpute about precedency,

The peace of Carlowitz.

1698. cedency. The Turks inſiſted upon the firſt place, which was claimed by the emperor's ambaſſadors, next to whom the Poliſh plenipotentiary demanded to ſit; which was refuſed by the Ruſſian and all the reſt, except the Venetian, who inſiſted upon the ſeat next to the Engliſh. This diſpute had like to have had very ill conſequences, if Maurocordato, one of the Turkiſh plenipotentiaries, had not found out the following expedient. He propoſed the erecting of a round building, with as many doors as there were ambaſſadors, each door looking towards the country from whence they ſeverally came, and that tents ſhould be placed round the building, from whence on the firſt day of conference, the ambaſſadors ſhould come forth with an equal pace, and enter the room, all at the ſame time, and, ſaluting one another, take the ſeat next to them. The mediators ſecretaries, and thoſe of the Imperial ambaſſy, were placed behind; and the Turkiſh ſecretary ſate down before the floor. The conference was opened with the pronouncing of theſe words, "God grant an happy peace," and laſted from half an hour after ten till three in the afternoon, when the mediators and plenipotentiaries went out in the ſame order, as they entered. The conferences were renewed in the ſame manner the three ſucceſſive days with good ſucceſs. But ſome debates ariſing about the giving up of Teckely and the holy ſepulchre, the diſmantling of Caminieck, and the ſurrendering of another place upon the Black Sea; beſides the quitting of Azoph to the Muſcovites; and chiefly about the regulation of the limits between the two empires and the Venetian and Turkiſh territories; the plenipotentiaries ſent expreſſes to their reſpective maſters, which waſted a great deal of time. However, at length the Imperialiſts and Poles concluded their part of the treaty, on the 26th of January 1698-9, and perhaps would have done it ſooner, but in ſome ſort of compliance with the Venetians, who did not ſign theirs till the middle of the next month. As for the articles between the czar of Muſcovy and the ſultan, they contained only a truce for two years, and ſo were ſoon agreed upon and ſigned, on the 25th of December 1698. By this peace the emperor preſerved his late acquiſitions, and greatly enlarged his territories. The Poles had the important place of Caminieck reſtored to them with other advantages: the Muſcovites were gainers by the keeping of Azoph. And the Venetians had all the Morea, and ſeveral fortreſſes in Dalmatia, yielded up to them: ſo that it was computed, that the Turks loſt the beſt half of their dominions in Europe. Thus the long war between the emperor and the Turks, which

The Ottoman Hiſt. p. 426.

which had brought both ſides by turns very near the laſt extremities, was at laſt concluded by the direction and mediation of the king of England. 1698.

By this time the new king of Poland having brought the cardinal primate, who had all along adhered to the prince of Conti, to acknowledge his title, and compoſed the troubles of Lithuania, an univerſal peace ſeemed now to be ſettled throughout Chriſtendom.

There was now a parliament choſen, and the elections fell generally on men, who were in the intereſts of the government. Many of them had indeed ſome popular notions, which they had imbibed under a bad government, and thought they ought to keep them under a good one. So that thoſe who wiſhed well to the public, apprehended great difficulties in managing them. The king himſelf did not ſeem to lay this to heart ſo much as was fitting. He ſtaid long beyond ſea; and croſs winds hindered his return to England ſo ſoon as he had intended; upon which the parliament was prorogued for ſome weeks after the members were come up. Even this ſoured their ſpirits, and had too great a ſhare in the ill humour, that appeared among them. A new parliament. Burnet.

The king arrived in England, the 3d of December; and, the parliament being met three days after, and the commons having choſen ſir Thomas Littleton for their ſpeaker, the ſeſſion was opened by the king with the following ſpeech:

"My lords and gentlemen,

"I Have no doubt but you are met together with hearts "fully diſpoſed to do what is neceſſary for the ſafety, "honour and happineſs of the kingdom; and that is all I "aſk of you. The king's ſpeech to his fourth parliament. Dec. 9. Pr. H. C. III. 91.

"In order to this, two things principally ſeem to require "your conſideration.

"The one is, what ſtrength ought to be maintained at "ſea, and what force kept up at land for this year. All "that I ſhall obſerve to you on this head, is, that the flouriſhing of trade, the ſupporting of credit, and the quiet of "the people's minds at home, will depend upon the opinion "they have of their ſecurity. And, to preſerve to England the weight and influence it has, at preſent, on the "councils and affairs abroad, it will be requiſite, Europe "ſhould ſee, you will not be wanting to yourſelves.

"The ſecond thing I ſhall mention to you, as of great "conſequence, is the making ſome farther progreſs towards "a diſcharging the debts which the nation has contracted, by "reaſon of the long and expenſive war. In this the public

1698. " intereſt, as well as juſtice, is concerned; and I think an " Engliſh parliament can never make ſuch a miſtake, as not " to hold ſacred all parliamentary engagements.

" Gentlemen of the houſe of commons,

" I do earneſtly recommend theſe things to you, that you " may provide ſuch ſupplies, as you ſhall judge neceſſary for " theſe ſeveral occaſions.

" My lords and gentlemen,

" I think it would be happy, if ſome effectual expedient " could be found for employing the poor, which might tend " to the great increaſe of our manufactures, as well as re- " move a heavy burden from the people.

" I hope alſo you will employ your thoughts about ſome " good bills for the advancement of trade, and for the future " diſcouragement of vice and profaneneſs.

" The things I have mentioned to you being of common " concern, I cannot but hope for unanimity and diſpatch."

The forces diminiſhed. Burnet. Kennet.

It appears by this ſpeech, how neceſſary the king thought to keep up a good naval and land-force. For though he had taken meaſures to ſecure the Spaniſh ſucceſſion, and preſerve the tranquillity of Europe; yet he was apprehenſive that, if England was entirely diſarmed, it would be too great a temptation to the ambition of France, to break through all treaties and engagements, in order to invade the monarchy of Spain. But the commons were ſo far from being of the king's mind, that they highly reſented his keeping up an army beyond the votes of the laſt parliament, without duly conſidering the occaſion for his ſo doing; and this reſentment was increaſed by the king's own management in the affair. The miniſters repreſented to him, that they would carry the keeping up a land-force of ten or twelve thouſand, but that they could not carry it further. He ſaid, ſo ſmall a number was as good as none at all; therefore he would not authorize them to propoſe it. On the other hand, they thought they ſhould loſe their credit with their beſt friends, if they ventured to ſpeak of a greater number. So that, when the houſe of commons took up the debate, the miniſtry were ſilent, and propoſed no number; upon which thoſe, who were in the contrary intereſt, named ſeven thouſand men; and accordingly it was reſolved, " That all the land-forces " of England, in Engliſh pay, exceeding ſeven thouſand

" men

"men (and thoſe conſiſting of his majeſty's natural born 1698.
"ſubjects) be forthwith paid and diſbanded; and that all the
"forces in Ireland exceeding twelve thouſand men (and thoſe Pr. H. C.
"natural born ſubjects, to be maintained by that kingdom) III. 92.
"be likewiſe forthwith diſbanded." They ordered a bill to be brought in upon theſe reſolutions, which was eagerly purſued, and ſoon brought to perfection. This gave the king great uneaſineſs; for by theſe reſolutions, not only the army was to be reduced to an inconſiderable number, but that number was to conſiſt of natural born ſubjects, by which means the Dutch guards (of whom the king was entirely fond) were to be ſent away, as well as the regiments of the French refugees were to be caſhiered. The king ſeemed not only to lay this much to heart, but even to ſink under it. He tried all that was poſſible to ſtruggle againſt it, when it was too late; it not being ſo eaſy to recover things in an after-game, as it was to have prevented this miſunderſtanding, which was like to ariſe between him and his parliament. It was ſurmiſed, that he was reſolved not to paſs the bill, but that he would abandon the government, rather than hold it with a force, that was too ſmall to preſerve and protect it. Yet this was conſidered only as a threatening, ſo that little regard was had to it. However it appears from an original letter of the lord chancellor Sommers to the duke of Shrewſbury, that the king had actually formed ſuch a deſign; from which no remonſtrances, which that lord could then uſe, could prevail on him to deſiſt. For his majeſty was reſolved to go to the parliament, on the 4th of January, and to make the following ſpeech:

The king reſolves to abandon the government.

"I Came to this kingdom, at the deſire of this nation, to
"ſave it from ruin, and to preſerve your religion, your
"laws, and liberties; and for that end I have been obliged
"to maintain a long and burdenſome war for this kingdom;
"which, by the grace of God, and the bravery of this na-
"tion, is at preſent ended in a good peace; under which
"you may live happily and in quiet, provided you will con-
"tribute to your own ſecurity, in the manner I had recom-
"mended to you at the opening of the ſeſſions. But ſeeing,
"to the contrary, that you have ſo little regard to my ad-
"vice, and that you take no manner of care of your own
"ſecurity, and that you expoſe yourſelves to evident ruin,
"by diveſting yourſelves of the only means for your defence,
"it would not be juſt nor reaſonable, that I ſhould be wit-
"neſs of your ruin, not being able to do any thing of my-

1698-9. "ſelf, it not being in my power to defend and protect you, "which was the only view I had in coming into this coun- "try. Therefore, I am obliged to recommend to you to "chuſe and name to me ſuch perſons, as you ſhall judge "moſt proper, to whom I may leave the adminiſtration of "the government in my abſence; aſſuring you, that, though "I am at preſent forced to withdraw myſelf out of the king- "dom, I ſhall always preſerve the ſame inclination to its "advantages and proſperity. And when I can judge, that "my preſence will be neceſſary for your defence, I ſhall be "ready to return, and hazard myſelf for your ſecurity, as I "have formerly done; beſeeching the great God to bleſs "your deliberations, and to inſpire you with all that is ne- "ceſſary for the good and welfare of the kingdom."

By what means the king was diverted from executing this reſolution, does not appear; but the bill for reducing the army paſſed with ſome oppoſition in the houſe of commons; and in the houſe of lords a feeble attempt was made againſt it, but this was rather a reproach than a ſervice to the government, it being faintly made, and ill defended. When the bill was ready, the king came, on the firſt of February, to the houſe of lords, and, inſtead of the foregoing ſpeech, made that which follows; wherein, he ſhews his reaſons for paſſing the diſbanding bill, and at the ſame time expoſtulates a little upon the hardſhip of it [b].

The king's ſpeech about the diſbanding-bill. Pr. H. C. III. 93.

"My lords and gentlemen,

"I AM come to paſs the Bill for diſbanding the army, "as ſoon as I underſtood it was ready for me.

"Though in our preſent circumſtances there appears "great hazard in breaking ſuch a number of the troops; "and though I might think myſelf unkindly uſed, that thoſe "guards who came over with me to your aſſiſtance, and "have conſtantly attended me in all the actions, wherein I "have been engaged, ſhould be removed from me; yet it is "my fixed opinion, that nothing can be ſo fatal to us, as that "any diſtruſt or jealouſy ſhould ariſe between me and my peo- "ple, which I muſt own would have been very unexpected, "after what I have undertaken, ventured, and acted for the "reſtoring and ſecuring of their liberties.

"I have thus plainly told you the only reaſon, which has "induced me to paſs this bill; and now I think myſelf

[b] The title of the bill was, An act for granting an aid of 800,000 l. for the effectual diſbanding of the army.

"obliged,

" [illegible] diſcharge of the truſt repoſed in me, and for my own juſtification, that no ill conſequences may lie at my door, to tell you as plainly my judgment that the nation is too much expoſed. 1698-9.

" It is therefore incumbent upon you to take this matter into your ſerious conſideration, and effectually to provide ſuch a ſtrength, as is neceſſary for the ſafety of the kingdom, and the preſervation of the peace, which God has given us."

Though the commons could not be diverted from their purpoſe, by the king's reaſons for paſſing the bill, nor by his repreſentation of the dangerous conſequences of it, they preſented however an addreſs of thanks, ſetting forth, " How ſenſible they were of the difficulties he had undertaken, and the labours he had ſuſtained, and the hazards he had run, in reſcuing them from popery and arbitrary power, reſtoring their liberties, and giving peace and quiet to all Chriſtendom: they returned him their moſt hearty thanks for his moſt gracious ſpeech, in which he had expreſſed ſo great a regard for the good will and affection of his people, and had given ſo undeniable proof of his readineſs to comply with the deſires of his parliament. And, as his majeſty had ſhewn a moſt tender and fatherly concern for the ſecurity and ſafety of his people, ſo they aſſured him, that he ſhould never have reaſon to think the commons were undutiful or unkind to him, but that they would upon all occaſions ſtand by and aſſiſt him in the preſervation of his ſacred perſon, and ſupport of his government, againſt all his enemies whatſoever." His majeſty, in anſwer to this, told them, " That he took their addreſs very kindly: that he was fully ſatisfied of their duty and affection, and had no doubt but they would always act in the manner they had expreſſed upon this occaſion. *Addreſs of the commons upon it.* Feb. 4.

The lords alſo preſented an addreſs of thanks for the diſbanding act, and for the gracious expreſſions in his ſpeech, " That it was his majeſty's fixed opinion, that nothing could be ſo fatal to them, as that any diſtruſt or jealouſy ſhould ariſe between his majeſty and his people: as likewiſe for his care and concern for the ſafety of the kingdom, upon all occaſions; aſſuring his majeſty, that at all times, for the ſafety of the kingdom, and the preſervation of the peace, which God has given them, they would aſſiſt and defend his majeſty againſt all his enemies both at home and abroad." *And alſo of the lords.*

1698-9. The king thanked the lords for their addreſs; and, finding that both houſes concurred in the ſame opinion as to the diſbanding of the army, he gave effectual orders for reducing it to the number of ſeven thouſand men, to be maintained in England, under the name of guards and garriſons. But, by reaſon that cavalry is more ſerviceable upon any ſudden exigency, than infantry, the king took care, that, of theſe ſeven thouſand, four thouſand were horſe and dragoons, and three thouſand were foot. The bodies were alſo reduced to ſo ſmall a number of ſoldiers, that it was ſaid, we had now an army of officers; but this model was much approved by proper judges as the beſt, into which ſo ſmall a number could have been brought.

This great reform gave the king much concern; but what touched him very ſenſibly was the neceſſity he was under of ſending away his Dutch guards, a regiment, which had faithfully attended his perſon from his earlieſt years, followed his fortune every where, and to which, beſides innumerable other ſignal ſervices, he owed his victory at the famous battle of the Boyne. With theſe the king had the utmoſt regret to part; and therefore, as he hoped the paſſing the diſbanding-act had ſoftened their minds, he made an attempt for keeping theſe guards, by ſending the lord Ranelagh with the following meſſage to the commons, all of his own handwriting:

" William R.

The king's meſſage about the Dutch Guards. March 18. Pr. H. C. III. 99.

" His majeſty is pleaſed to let the houſe know, that the " neceſſary preparations are made for tranſporting the " guards, who came with him into England; and that he " intends to ſend them away immediately, unleſs, out of " conſideration to him, the houſe be diſpoſed to find a way " for continuing them longer in his ſervice, which his ma- " jeſty would take very kindly."

The anſwer of the commons. March 24.

Upon reading this meſſage, the queſtion was put, that a day be appointed to conſider of it; but it was carried in the negative, and reſolved, that an addreſs ſhould be preſented to his majeſty, repreſenting the reaſons, why the houſe could not comply with his meſſage. The addreſs was accordingly delivered, wherein they repreſented, " That the paſſing the " late act for diſbanding the army gave great ſatisfaction to " the ſubjects; and his majeſty's readineſs to comply with " the punctual execution of it would prevent all occaſions of " diſtruſt and jealouſy between him and his people. That

it

" it was an unſpeakable grief to them, that his majeſty 1698-9.
" ſhould be adviſed to propoſe any thing in his meſſage, to
" which they could not conſent with due regard to that con-
" ſtitution, which his majeſty came over to reſtore, and had
" ſo often expoſed his royal perſon to preſerve; and did in
" his gracious declaration promiſe, that all thoſe foreign
" forces, which came over with him, ſhould be ſent back.
" That in duty therefore to his majeſty, and to diſcharge
" the truſt repoſed in them, they craved leave to lay before
" his majeſty, that nothing conduceth more to the happineſs
" and welfare of this kingdom, than an intire confidence be-
" tween his majeſty and his people, which could no way be ſo
" firmly eſtabliſhed, as by intruſting his ſacred perſon with
" his own ſubjects, who had ſo eminently ſignalized them-
" ſelves on all occaſions, during the late long and expenſive
" war."

The king's anſwer to this addreſs was as follows: " Gen- The
" tlemen, I came hither to reſtore the antient conſtitution king's re-
" of this government. I have had all poſſible regard to it ply.
" ſince my coming; and I am reſolved, through the courſe
" of my reign, to endeavour to preſerve it intire in all the
" parts of it. I have a full confidence in the affections
" of my people, and I am well aſſured they have the ſame
" in me; and I will never give them juſt cauſe to alter this
" opinion.

" As to my ſubjects, who ſerved during the war, I am
" an eye-witneſs of their bravery, and of their zeal for my
" perſon and government; and I have not been wanting to
" expreſs my ſenſe of this to my parliaments, as well as up-
" on other occaſions. I have all the reaſon to truſt and
" rely upon them, that a prince can have; and I am ſatisfied
" there is not one man among them capable of entertaining
" a thought, that what was propoſed in my meſſage, pro-
" ceeded from any diſtruſt of them.

" It ſhall be my ſtudy, to the utmoſt of my power, to
" perform the part of a juſt and a good king; and, as I
" will ever be ſtrictly and nicely careful of obſerving my
" promiſes to my ſubjects, ſo I will not doubt of their ten-
" der regards to me."

But this anſwer could not move the commons from their reſolutions; ſo that the Dutch guards were ſoon after ſhipped off for Holland [a].

[a] The king writ the following letter to the earl of Galway, a little before this.

Kenſington, Jan. 27, 1698.

I received ſome days ago a letter from you without date, by which

1698-9. In carrying theſe points, many hard things were ſaid of the Court, and againſt the king himſelf. It was ſaid that he loved not the nation; that he was on the with all Engliſhmen, and ſhewed no confidence in but that, as ſoon as the ſeſſion of parliament was went immediately to Holland. And it was ſaid, this to look after the affairs of the ſtates, which had been more excuſable; but that he went thither to enjoy a lazy privacy at Loo, where, with a few favourites, he hunted and paſſed away the ſummer in a way, that did not much raiſe his character. It is certain, the uſage, which his majeſty had met with of late, put his ſpirits too much on the fret; and he neither took care to diſguiſe that, nor to overcome the ill

The party oppoſed the king with great bitterneſs.

which I ſee you are uneaſy at the proceedings of the parliament here againſt the foreigners. I think you have too much cauſe to be ſo; though, as yet, nothing has paſſed about you, and I have good reaſon to hope you will be left undiſturbed. At leaſt, you may be aſſured, I ſhall do my utmoſt, that nothing be done to your prejudice; ſatisfied, as I am, with your conduct, and uſeful, as you are, for my ſervice. So you may be ſure, that I will not recall you, unleſs I am forced to it, which I hope will not be the caſe. It is not to be conceived, how people here are ſet againſt the foreigners. You will eaſily judge on whom this reflects. I deſign very ſhortly to ſend into Ireland five regiments of foot, and two of horſe, and ſoon after three more of foot, eight in all. I will ſend you, in a few days, orders to diſband Wolſey's regiment of horſe, and nine regiments of foot, intending to keep only thoſe of Hanmer and Hamilton. I deſign alſo, when the parliament riſes, to ſend you your regiment of horſe, and the three French regiments, and perhaps Miramont's dragoons; but that muſt be very ſecret, though I much fear my deſign is already ſuſpected here. I am in doubt whether I ſhall ſend likewiſe into Ireland Eppinger's regiment. All this together would amount to eighteen battalions of foot, three regiments of horſe, and five of dragoons, reckoning Eppinger's for two; and this would be in a manner agreeable to your project, and, according to my calculation, the expence no greater; but, if it ſhould be, ſomething muſt be retrenched, of which I ſhould be glad to know your ſentiments. You will eaſily perceive how neceſſary it is, that all this be kept ſecret. I thought it requiſite to give you early notice of my intention, that you might take your meaſures accordingly; mine muſt be regulated according as things go in the parliament, of which there is no being ſure, till the ſeſſion is over. There is a ſpirit of ignorance and malice prevails here beyond conception. Be always aſſured of my friendſhip.

WILLIAM R.

humour,

humour, which the manner of his deportment, rather than any juſt occaſion given by him, had raiſed in many againſt him. 1698-9.

At the ſame time that the army was thus reduced, there was a large proviſion made for the ſea, greater than was thought neceſſary in a time of peace. Fifteen thouſand ſeamen, with a fleet proportioned to that number, was thought a neceſſary ſecurity, ſince we were made ſo weak by land. For the maintenance of this fleet, and for diſbanding the army, and other neceſſary occaſions, a ſupply was granted of 1,484,015 l. to be raiſed by a tax of three ſhillings in the pound upon all lands, penſions, offices, and perſonal eſtates.

One of the conſequences of diſbanding the army was a more viſible concourſe of the jacobites and papiſts about the town and court, in ſo bold and inſolent a manner, that the commons took notice of it; and, upon that occaſion, preſented the following addreſs to the king on the 21ſt of February: Addreſs againſt papiſts and jacobites.

"WE your majeſty's moſt dutiful and loyal ſubjects, the commons in parliament aſſembled, having obſerved the great concourſe to this city of papiſts and other diſaffected perſons, who have not owned your majeſty to be lawful and rightful king of theſe realms, and the boldneſs they aſſume from your majeſty's unexampled clemency, not only to keep horſes and arms contrary to law, but alſo to frequent all public places of reſort near your two houſes of parliament, and even to approach your royal palaces, whereby they may have opportunities to perpetrate any wicked attempt againſt your royal perſon, on the ſafety and preſervation whereof our religion and liberties, and the peace and welfare, not only of theſe kingdoms but of all Europe, do in a very great meaſure depend.

"And having alſo conſidered the many plots and conſpiracies againſt your majeſty's perſon and government, but eſpecially the late horrid intended aſſaſſination, contrived and carried on, not only by papiſts (whoſe religion and intereſt might lead them to it) but even by ſuch, who at their death (to the great ſcandal of our religion) profeſſed and owned themſelves to be members of the church of England, which chiefly (under God) owes its preſervation and defence to your majeſty, and whoſe doctrines are directly oppoſite to all ſuch inhuman and treaſonable practices.

"And

1698-9. "And having alſo certain inform[illegible]
"bers of popiſh prieſts and jeſuits, [illegible]
"adjacent, intrude themſelves into [illegible]
"dying perſons, with deſign to pre[illegible]
"weakneſs, to be reconciled to th[illegible]
"daily endeavour to pervert and ſeduce from [illegible]
"your majeſty's good ſubjects, in poiſoning them with their
"wicked and damnable doctrines and principles; and that
"they have imported great quantities of popiſh books, and
"keep ſchools to breed up and inſtruct children in the Ro-
"miſh ſuperſtition and idolatry.

"We therefore hold ourſelves obliged, for quieting the
"minds of your good ſubjects, and in duty to your majeſty,
"humbly to beſeech your majeſty, that you will be graci-
"ouſly pleaſed (in order to ſuppreſs ſuch practices of the
"reſtleſs and notorious enemies of your government) to
"iſſue out your royal proclamation for removing all papiſts
"and others, who diſown your majeſty's government, from
"the city of London and parts adjacent, according to the
"laws; and that the laws may be put in execution againſt
"them in ſuch a manner, that their wicked deſigns may be
"effectually diſappointed."

To this addreſs his majeſty made anſwer, "That he
"would take care, that the laws ſhould be put in execu-
"tion according to their deſire;" and in order to this he cauſed a proclamation to be publiſhed on the 2d of March.

The growth of popery.

Theſe complaints of the growth of popery were not without reaſon; for, upon the peace of Ryſwick, a great ſwarm of prieſts came over to England, not only thoſe, whom the revolution had frighted away, but many more new men, who appeared in many places with great inſolence; and it was ſaid, that they boaſted of the favour and protection, of which they were aſſured. Some enemies of the government began to give it out, that the favouring that religion was a ſecret article of the peace; and ſo abſurd is malice and calumny, that the jacobites began to ſay, that the king was either of that religion, or at leaſt a favourer of it: complaints of the avowed practices and inſolence of the prieſts were brought from ſeveral places, and thoſe were maliciouſly aggravated by ſome who caſt the blame of all on the king. Theſe complaints, being continued the next ſeſſion, produced a remarkable act againſt the papiſts, of which an account will be given in its place.

The

The old East-India company preſented a petition to the commons, praying, "That their caſe might be taken into "conſideration; and that the houſe would make ſome pro- "viſion, that their corporation might ſubſiſt for the reſidue of the "term of twenty-one years, granted by his majeſty's charter: "That the payment of the five pounds per cent. by the late "act for ſettling the trade to the East-Indies might be ſettled "and adjuſted in ſuch a manner, as it might not remain a "burden upon the petitioners: And that ſuch further conſi- "derations might be had for the petitioners relief, and for "the preſervation of the East-India trade to England, as "ſhould be thought meet." The commons, having taken this petition into conſideration, on the 27th of February, ordered a bill to be brought in thereupon; which bill was rejected, on the 9th of March, before it came to a ſecond reading. 1698-9. Old East-India company's petition.

Some in the houſe of commons, it is ſaid, began to carry things to a great height, and to aſſert that they were not bound to maintain the votes, and to keep up the credit of the former parliament; and they tried to ſhake the act, made in favour of the new East-India company: this was ſo contrary to the fundamental maxims of our conſtitution, that it gave cauſe of jealouſy, ſince this could be intended for nothing, but to ruin the government: money raiſed by parliament, upon bargains and conditions that were performed, by thoſe who advanced it, gave them ſuch a purchaſe of thoſe acts, and this was ſo ſacred, that to overturn it muſt deſtroy all credit for the future, and no government could be maintained that did not preſerve this religiouſly. Burnet.

The commons took likewiſe into conſideration the ſtate of the navy; and, after an examination of the preſent and paſt management of the maritime affairs, they drew up and preſented to the king an addreſs, concerning certain miſmanagements, which were of no great importance [b]. Addreſs about the navy. Apr. 3.

It

[b] The articles were,

"That the Streights ſquadron, not ſailing till September laſt, was prejudicial to England, and a great miſmanagement.

"That the order made by the commiſſioners of the Admiralty, the 12th of September 1695, giving Henry Prieſtman, Eſq; an allowance of ten ſhillings a day from the date of his commiſſion, as commander in chief before Sallee in the year 1684, till the Bonadventure was paid off, over and above his pay as captain of the ſaid ſhip, was very unreaſonable, and a miſapplication of the public money.

"That

1698-9. It was evident, that this addreſs was chiefly level[illegible] the earl of Orford, who was both treaſurer of th[illegible] one of the lords commiſſioners of the admiral[illegible] had got too much by his late expedition in th[illegible] nean, and done the government too ſignal ſer[illegible] lie open to the inquiry of ſome well-meaning[illegible] envy of many diſaffected perſons. The earl therefore, fore-ſeeing the ſtorm gathering againſt him, thought it prudence to reſign all his places and retire. However, it ought to be remembered in juſtice to him, that what he got in the Streights, was only by the preſents he received from the ſtates, whom he protected; for it was confeſſed by his very enemies, that a fleet was never better taken care of, nor more timely provided, than that, which he, with ſo much reputation commanded. And beſides it is moſt certain, that he charged the king in his books with much leſs a day for every man, than the uſual allowance of the navy [c].

The lord Orford reſigns all his places.

The parliament prorogued. Pr. H. C. III. 105.

This ſeſſion ended on the 4th of May, when the king made the following ſpeech to both houſes:

" That the victualling any of " his majeſty's ſhips by others " than by the victuallers ap- " pointed for that ſervice, or " their agents, was contrary to " the courſe of the navy, and " might be of ill conſequence.

" That many new and unne- " ceſſary charges had, in an " extraordinary manner, been " introduced into the navy, " which was a great miſma- " nagement.

" That the deductions of " poundage taken by the Pay- " maſters of the navy for ſlop " clothes, dead men's clothes, " tobacco, cheſt at Chatham, " chaplain and ſurgeon, were " without warrant, and ought " to be accounted for.

" That it was inconſiſtent " with the ſervice of the navy " for the ſame perſon to be one " of the commiſſioners for exe- " cuting the office of lord high " admiral and treaſurer of the " navy at the ſame time.

" And that the paſſing any " account of monies impreſſed " for the contingent uſes of the " navy, without regular vouch- " ers, or ſuch other proof as the " nature of the ſervice would " admit, either with or without " a ſign manual, was contrary " to the rules and methods of " the navy, and of dangerous " conſequence.

" All which they begged leave " to lay before his majeſty, de- " ſiring, that he would be gra- " cioufly pleaſed to take effec- " tual care, that the miſmanage- " ments herein complained of " might be prevented for the " future."

[c] He was ſo popular, that in the former parliament, when he was a commoner, he was knight of the ſhire for Middleſex, knight of the ſhire for Cambridge county, and burgeſs for Portſmouth, an honour, without example, in in the rolls of parliament.

" That

" My lords and gentlemen,

" At the opening this parliament I told you my opinion " was, that you were come together with hearts fully " diſpoſed to what was neceſſary for the ſafety, honour, " and happineſs of this kingdom; and, having nothing elſe " to recommend to you, I had reaſon to hope for unanimity " and diſpatch.

" You have now ſat ſo many months, that the ſeaſon " of the year, as well as your particular affairs, make " it reaſonable you ſhould have a receſs. I take it for " granted you have finiſhed all the bills, which for the pre- " ſent you think requiſite to be paſſed into laws; and I have " given my aſſent to all you have preſented to me.

" If any thing ſhall be found wanting for our ſafety, " the ſupport of public credit, by making good the faith " of the kingdom, as it ſtands engaged by parliamentary " ſecurities, and for diſcharge of the debts occaſioned by " the war, or towards the advancing of trade, the ſup- " preſſing of vice, and the employing of the poor, which " were all the things I propoſed to your conſideration, when " we met firſt, I cannot doubt but effectual care will be " taken of them next winter, and I wiſh no inconveni- " ence may happen in the mean time.

Then the lord chancellor prorogued the parliament to the firſt of June [d].

On

[d] During this ſeſſion, there was great talk of the lewdneſs of the ſtage, and not without reaſon, for both players and plays were ſo profane, that they were become a ſcandal to the nation. There had lately been publiſhed a book, intituled A ſhort view of the ſtage, by Jeremy Collier, the ſame that had abſolved ſir William Perkins, at Tyburn. In this work, he made a collection of the moſt lewd and profane paſſages in ſome modern plays, as ſir John Vanbrug's, Mr. Congreve's and others, whoſe authors could not more eaſily defend the writing of comedies, which Collier declaimed againſt, than vindicate what they had written in the paſſages he quoted. His book had a great run, and was cried up by the religious part of the town. And indeed, it was hardly poſſible for immorality and profaneneſs to be effectually reſtrained, while they were acted over with ſo much indecent liberty upon the ſtage. The ordinary plays, inſtead of anſwering the good old deſign of expoſing vice, and recommending the charms of virtue, were debauched

1698-9. On the 14th of May, the earl of Jerſey, lately returned from an ambaſſy to France [e], was appointed ſecretary of ſtate.

bauched with the wrong images of things, and with a language bordering upon impious and obſcene. This licentious vein had grown into a faſhion under the rejoicings of king Charles II. and was now continued to pleaſe the vitiated palate of the gay and looſe people, that frequented the play-houſes for want of religion and buſineſs. The king, who rarely or never went to thoſe places of diverſion, was honeſtly informed of the ſcandal given to them; and therefore to put ſome check upon their liberty and lewdneſs, he commanded the following order to be ſent to both play-houſes.

His majeſty being informed, that, notwithſtanding an order made in June 1697, by the earl of Sunderland, then lord Chamberlain of the houſehold, to prevent the profaneneſs and immorality of the ſtage, ſeveral plays had lately been acted, containing expreſſions contrary to religion and good manners. And whereas the maſter of the revels had repreſented, that, in contempt of the ſaid order, the actors did neglect to leave out ſuch profane and indecent expreſſions, as he had thought proper to be omitted: therefore it was his majeſty's pleaſure, that they ſhould not hereafter preſume to act any thing in any play, contrary to religion and good manners, as they ſhould anſwer at their utmoſt peril. At the ſame time the maſter of the revels was commanded not to licence any plays containing irreligious or immoral expreſſions, and to give notice to the lord chamberlain, if the players preſumed to act any thing, which he had ſtruck out.

Towards the end of March, the earl of Warwick and lord Mohun being ſeverally indicted for the murder of captain Richard Coote, were tried by the houſe of peers, in a court prepared for that purpoſe, in Weſtminſter-hall; the lord chancellor of England being conſtituted lord high-ſteward upon this occaſion, and the court being opened with the uſual ceremonies, the trial of the earl of Warwick came on firſt, and laſted till late in the evening; when the Peers adjourned to their own houſe, and, after ſeveral debates, the lords temporal, only, returned to the court in Weſtminſter-hall; where they delivered their judgments, ſeriatim, upon their honours; and unanimouſly acquitted the earl of the murder, but found him guilty of manſlaughter. The next day came on, in like manner, the trial of lord Mohun; who was acquitted of the murder by the unanimous ſuffrage of the peers then preſent. The caſe was thus: The lords Warwick and Mohun, and the captains, French and Coote, with Mr. Dockwra and Mr. James, being at a tavern, a quarrel aroſe; and they all went in chairs to Leiceſter-fields, between one and two o'clock in the morning; and a duel was fought in the dark, three againſt three; in which Coote was kill'd by French, as was ſaid. The main evidence againſt the lord Warwick was, that his ſword was bloody, and French's was not.

[e] The earl of Jerſey obtain'd leave

ſtate, in the room of the duke of Shrewſbury. The duke, by a fall from his horſe, was rendered incapable to undergo the fatigue of the ſecretary's place; but he accepted that of lord chamberlain of his majeſty's houſhold; and, accordingly, in October following, the key and white ſtaff were delivered to him by the king. He afterwards went to France and Italy for change of air, and married an Italian lady Adeliada Palleotica, of Bologna. The earl of Mancheſter was appointed ambaſſador extraordinary to France; and the earl of Pembroke being declared lord preſident of the council, the privy ſeal was given to the lord viſcount Lonſdale. On the laſt day of May, the king appointed the lord chancellor, the lord preſident of the council, the lord privy ſeal, the lord ſteward of the houſehold, the earl of Bridgewater, firſt commiſſioner of the admiralty, the earl of Marlborough, the earl of Jerſey, and Mr. Mountague, to be lords juſtices of England, during his abſence. The day after, the king went from Kenſington to Margate; where he embarked for Holland, and, on the 3d of June, landed at Orange Polder; from whence he went to the Hague. 1699.

The commons of England having voted, that twelve thouſand men ſhould be maintained in Ireland, the parliament of that kingdom applied themſelves to find the neceſſary funds to anſwer the charge; and, on the 26th of January, an act paſſed for raiſing 120,000 l. on all lands, tenements, and hereditaments in Ireland. This being done, the parliament was prorogued; and, ſeven months after, a new commiſſion, conſtituting the duke of Bolton, the earl of Berkeley, and the earl of Galway lords juſtices of Ireland, was opened, and read in council; and theſe two earls having been ſworn in the uſual manner, were complimented by the council, and ſeveral other perſons of quality [f]. Affairs of Ireland.

All

leave for the ducheſs de la Force, a proteſtant, to quit France; where, upon the death of her huſband, ſhe was thrown into a nunnery at Euvreux, in Normandy, and had endured fourteen years perſecution, with great conſtancy. She came over with the counteſs of Jerſey, and lived here to a very great age.

[f] A letter at this time, from the king to the earl of Galway, ſhews how much he was chagrined at the late proceedings.

Kenſington, Jan. 1, 1699.

I have not writ to you all this winter, by reaſon of my vexation at what paſſed in parliament, and becauſe of the uncertainty I was under to know what to ſend you. It is not poſſible to be more ſenſibly touched than I am, at my not being able to do

1699. All this while the Scots company were under no ſmall uneaſineſs: but, notwithſtanding the ſeveral repulſes, which they had met with in England, their court of directors, towards the beginning of the year, beſides the letters formerly mentioned, ſent another to the lord Seafield, ſecretary of ſtate, to put him in mind of his promiſe, touching their petion, and the parliament's addreſs to the king. To which he wrote an anſwer on the 7th of February: "That he had "preſented their petition to the king, and was commanded "to let them know, That, there being accounts, that the "ſhips belonging to the company, were arrived on the coaſts "of America, and the particular deſign not being communi-"cated to his Majeſty, he therefore delayed to give an an-"ſwer, till he received certain information of their ſettle-"ment." The company having this intimation from the king, their council-general wrote a letter to him, importing: "That they had arrived ſafe at their intended port, within a "league of the Golden Iſland, on the coaſt of Darien; and, "after having treated aboard the ſhips with the natives, who

Affairs of the India company.

Account of the ſettlement with Darien.

do more for the poor refugee officers, who have ſerved me with ſo much zeal and fidelity. I am afraid the good God will puniſh the ingratitude of this nation. I could hardly get the eſtabliſhment of Ireland paſſed, as it will be ſent you; there are retrenchments, which I was forced to make, though I like them not; and, doubtleſs ſome of them muſt be changed. The Duke of Bolton ſeems pleas'd with you, but not with the chancellor. I have this day diſpatched a new commiſſion for the lords juſtices of Ireland, by joining with the duke of Bolton, and you, the earl of Berkeley; who is an eaſy man, and will be agreeable to you. I am perfectly ſatisfied with your conduct; and hope, now you will be left undiſturbed, ſince, in the laſt parliament nothing was ſaid of you, though you were much threatened. I fear, the commiſſion given here by the commons, for the inſpection of the forfeitures, will give you a great deal of trouble, and me no leſs, the next winter. Aſſuredly, on all ſides, my patience is put to the trial. I am going to breathe a little beyond ſea, in order to come back as ſoon as poſſible. I think it for my ſervice to change the commiſſion of the treaſury in Ireland, where, I doubt, the revenue is not well managed; of which it is neceſſary that you let me know your ſentiments immediately. The eſtabliſhment of the next year muſt abſolutely be reduced, that my ordinary revenue may ſerve to pay it; and a parliament in Ireland muſt not be thought of ſo ſoon. Of this you ought inſtantly to conſider; and take your meaſures for the future. Be always aſſured of my friendſhip.

WILLIAM R.

"were

" were always owned to be proprietors of that part of the 1699.
" coaſt, their men had, at the requeſt, and with the conſent
" of the natives, landed on the 4th of November, 1698,
" and taken poſſeſſion of an uninhabited place, never before
" poſſeſſed by any European whatever; and that, in purſu-
" ance of the treaty, the chief men and leaders of the na-
" tives had joined with, and taken commiſſion from the
" council. That they thought it their duty, at their firſt
" meeting, to give his majeſty an account thereof; and like-
" wiſe, that by letters from the council, bearing date at
" New Edinburgh in Caledonia (the name given to their new
" ſettlement) the 28th of December, they were poſitively
" informed, that the French had a deſign upon all that
" coaſt, or at leaſt to make a ſettlement ſomewhere there-
" abouts. And they humbly conceived, that the firm ſettle-
" ment of their colony in thoſe parts might be a means of
" preventing, or at leaſt leſſening the evil conſequences that
" might ariſe to his majeſty's kingdoms and dominions every
" where, by the ſettlement of any powerful foreign neigh-
" bour upon any part of that coaſt. And that, as they
" were always bound thankfully to acknowledge his good-
" neſs for granting them thoſe privileges, and his letters
" patents, by which their company was eſtabliſhed; ſo they
" did in all humility confidently expect his royal favour and
" protection, as having, in all the ſteps of their conduct,
" through the whole courſe of that affair, ſtrictly obſerved
" the conditions required by the act of parliament and letters
" patents: And they referred that, together with the con-
" tents of their laſt petition, to his royal conſideration, to
" give ſuch directions therein, as to his wiſdom ſhould ſeem
" meet and expedient."

The news of the Scots ſettlement at Darien alarmed moſt of the nations of Europe, who had plantations in the neighbourhood. And it was no wonder, that the Spaniards in particular complained loudly of it. It lay ſo near Porto Bello and Panama on the one ſide, and Carthagena on the other, that they could not think they were ſafe, when ſuch a neighbour came ſo near the center of their empire in America. The French king alſo complained of this, as an invaſion of the Spaniſh dominions, and offered the court of Madrid a fleet to diſlodge the Scots.

The marquiſs of Canales, the Spaniſh ambaſſador in England, likewiſe preſented the following memorial to the king: " The king, my maſter, being informed from ſe-
" veral places, and laſtly, from the governor of the Havanna, " of

The king of Spain's memorial againſt it. May 3. Lambert l. 22.

1699. "of the inſult and attempt of ſome Scots ſhips, provided "with men, and other things requiſite, who are endeavouring "to ſettle themſelves in his dominions in America, and par- "ticularly in the province of Darien, his majeſty has receiv- "ed theſe advices with great diſcontent, as a mark of diſ- "regard, and a breach of the alliance between the two "crowns (which his majeſty has hitherto and always will "religiouſly obſerve, and from which ſo many advantages "have accrued to his majeſty and his ſubjects) from which "alliance his majeſty did not expect theſe ſudden inſults of "his majeſty's ſubjects, and that in a time of peace, with- "out any occaſion or pretence, in the very heart of his do- "minions. All that the king deſires is, that it be repre- "ſented to his majeſty how very ſenſible he is of theſe hoſ- "tilities and unjuſt proceedings, againſt which he will take "proper meaſures [a].

It was further urged by the Spaniards, that they were once poſſeſſed of Darien; and, though they found it too unhealthy to ſettle there, yet the right to it belonged ſtill to them; and conſequently, that the ſeizing of it was a breach of treaty, and a violent poſſeſſion of their country. In anſwer to this, the Scots aſſerted, that the nations of Darien were never conquered by the Spaniards, and were by conſequence a free people. They alledged, that they had purchaſed of thoſe natives leave to poſſeſs themſelves of that place; and that the Spaniards had abandoned the country, becauſe they could not reduce the natives; ſo that the pretenſion of the firſt diſcovery was made void; and then, the natives being left to themſelves, it was lawful for the Scots to treat with them.

It was given out, that there was much gold in the country; and the Scots were ſo full of hopes from this project, that a fund was raiſed for carrying it on, greater than, as was thought, that kingdom could ſtretch to. Four hundred thouſand pounds ſterling was ſubſcribed, and a fourth part was paid down; and afterwards ſeventy thouſand pounds more were brought in; and a national fury ſeemed to have tranſported the whole kingdom upon this project.

[a] Monſieur Colonna, marquiſs de Canales, was very unacceptable to the king upon many accounts, and particularly for taking upon him to walk in the room with his hat on, while the king was at dinner, directly contrary to the cuſtom of the Britiſh court. Accordingly, he was told either to pull off his hat, or forbear coming to court. He choſe to abſent himſelf, rather than ſubmit. Lambert I. p. 23.

The

The Jacobites went into the management with a particular heat. They ſaw the king would be much preſſed from Spain. The Engliſh nation apprehending, that this would be ſet up as a breach of treaties, and that upon a rupture their effects in Spain might be ſeized, grew alſo very uneaſy at it: Upon which it was thought, that the king would in time be forced to diſown the invaſion, and to declare againſt it; and in that caſe the Jacobites hoped to have inflamed the kingdom with this, that the king denied them his protection, while they were only acting according to law; and this, they would have ſaid, was contrary to the coronation-oath, and ſo they would have thought they were freed from their allegiance to him. The Jacobites having this project, did all that was poſſible to raiſe the hopes of the nation to the higheſt degree. The Engliſh plantations grew alſo very jealous of the new colony; and feared, that the double proſpect of finding gold, and of robbing the Spaniards, would draw many planters from them into this new ſettlement; and that the Buccaniers might run into them: For, by the Scots act, this place was to be made a free port; and if it was not ruined, before it was well formed, they reckoned it would become a ſeat of piracy, and another Algiers in theſe parts. Upon theſe grounds the Engliſh nation inclined to declare againſt this, and the king ſeemed convinced, that it was an infraction of his treaties with Spain. Orders therefore were ſent, but very ſecretly, to the Engliſh plantations, particularly to Jamaica, and the Leeward Iſlands, to forbid all commerce with the Scots at Darien. Accordingly, proclamations were publiſhed at Jamaica, Barbadoes, New-York, and New England, in his majeſty's name, ſtrictly commanding all his ſubjects, that they ſhould not preſume, on any pretence whatſoever, to hold any correſpondence with the Scots at Darien, nor give them any aſſiſtance of arms, or ammunition, or proviſions, or any other neceſſaries whatſoever. 1699. Great diſpute about it. Burnet.

Whilſt in Scotland all men were full of hopes that their new colony ſhould bring them home mountains of gold, theſe proclamations came to their knowledge, and were complained of as acts of hoſtilities and violations of the common rights of humanity. It is true, the proclamations had a great effect on the colony, though otherwiſe it was too weak and ill ſupplied, as well as too much divided within itſelf, to have ſubſiſted long. Thoſe who had firſt poſſeſſed themſelves of it, were forced to abandon it. Soon after they had gone from it, a ſecond recruit of men and proviſions were ſent thither from Scotland. But one of their ſhips unhappily took

1699. fire, in which they had the greateſt ſtock of provitions; and ſo theſe likewiſe went off. And, though the third reinforcement, that ſoon followed this, was both ſtronger and better furniſhed, yet they fell into ſuch factions among themſelves, that they were too weak to reſiſt the Spaniards, who, feeble as they were, yet ſaw the neceſſity of attacking them; and they, finding themſelves unable to reſiſt the force, which was brought againſt them, capitulated; and with that the whole deſign fell to the ground, partly for want of ſtock and ſkill in thoſe, who managed it, and partly by the baſeneſs and treachery of thoſe, whom they employed.

Great diſcontent upon the loſs of Darien.

The conduct of the king's miniſters in Scotland was much cenſured in the whole progreſs of this affair, for they had connived at it, if not encouraged it, in hopes that the deſign would fall of itſelf; but now it was not ſo eaſy to cure the univerſal diſcontent, which the miſcarriage of this deſign, to the impoveriſhing of the whole kingdom, had raiſed, and which now began to ſpread like a contagion among all ſorts of people.

The duke of Zell viſits the king.

About the latter end of Auguſt, the ſtates of Holland, out of their regard for the king's preſervation, publiſhed a placart, requiring, that all ſuch perſons, as had been declared rebels in England, ſhould immediately depart their dominions. And a few days after the king reviewed the Dutch forces incamped near Arnheim, and then returned to Loo, to entertain his boſom friend the old duke of Zell, who was come thither to make him a viſit with a numerous retinue.

The duke of Zell ſtaid about two months with the king at Loo, and during the king's reſidence there, the earl of Portland, the French ambaſſador count Tallard, and the grand penſionary of Holland, had frequent conferences about the affair of the Spaniſh ſucceſſion. There being alſo good reaſon to be apprehenſive of a rupture between the two Northern crowns, his majeſty ſent inſtructions to monſieur Opdam, the Dutch ambaſſador in Sweden, to uſe his utmoſt endeavours to prevent it, which were however ineffectual. About the middle of October, the king came to the aſſembly of the ſtates, and, having ſettled the ſtate of the Dutch army and fleet for the enſuing year, he embarked for England, October 16, landed at Margate the next day, lay that night at Canterbury, and on the 18th arrived at Kenſington.

Death of the duke of Bolton, Bruce.

This year died the marquiſs of Wincheſter, whom the king had created duke of Bolton; he was a man of a ſtrange mixture; he had the ſpleen to a high degree, and affected an extravagant behaviour; for many weeks he would take a conceit

conceit not to ſpeak one word; and at other times, he would not open his mouth till ſuch an hour of the day, when he thought the air was pure; he changed the day into night, and often hunted by torch light, and took all ſorts of liberties to himſelf, many of which were very diſagreeable to thoſe about him. In the end of king Charles's time, and during king James's reign, he affected an appearance of folly, which afterwards he compared to Junius Brutus's behaviour under the Tarquins. With all this, he was a very knowing, and a very crafty politic man: And was an artful flatterer when that was neceſſary to compaſs his end, in which generally he was ſucceſsful: He was a man of a profuſe expence, and of a moſt ravenous avarice to ſupport that; and, though he was much hated, yet he carried matters before him with ſuch authority and ſucceſs, that he was, in all reſpects, the great riddle of the age. 1699.

This ſummer ſir Joſiah Child died; he was a man of great notions as to merchandize, which was his education, and in which he ſucceeded beyond any man of his time; he applied himſelf chiefly to the Eaſt India trade, which by his management was raiſed ſo high, that it drew much envy and jealouſy both upon himſelf and upon the company. He had a compaſs of knowledge and apprehenſion unuſual to men of his profeſſion. He was vain and covetous, and thought too cunning, though he ſeemed to be always ſincere. And ſir Joſiah Child.

A few days after the king's return, Mr. Mountague having a view to the auditor's place, reſigned his ſeat at the treaſury board, and was ſucceeded as chancellor of the Exchequer by Mr. John Smith, and by Mr. Hill, as one of the lords of the treaſury. Mr. Mountague reſigns his places.

Many expected to ſee a new parliament; for the king's ſpeech at the end of the former ſeſſion looked like a complaint, and an appeal to the nation againſt them; he ſeemed inclined to it, but his miniſters would not venture on it; the diſſolving a parliament in anger has always caſt ſuch a load on thoſe, who were thought to have adviſed it, that few have been able to bear it; beſides, the diſbanding the army had rendered the members, who promoted it, very popular to the nation; ſo they would have ſent up the ſame men, and it was thought that there was little occaſion for heat in another ſeſſion. And therefore, the parliament being met the 16th of November, the king addreſſed himſelf to both houſes in the following manner: The ſecond ſeſſion of the fourth parliament. Pr. H. C. III. 106.

"My

1699.

" My Lords and Gentlemen,

" I Hope you will not think I have called you out of your " countries too ſoon, if you conſider, that our common " ſecurity requires a farther proviſion ſhould be made for the " ſafety of the kingdom by ſea and land, before we are at " the end of what was granted for that purpoſe the laſt " ſeſſion. And, when you enter upon this buſineſs, I be- " lieve you will think it neceſſary to take care of the repairs " of the ſhips and of the fortifications, without which our " fleet cannot be ſafe, when it is in harbour.

" I cannot omit to put you in mind of another matter, " in which ſo great a number of my ſubjects is concerned, " and wherein the honour of the kingdom, and the faith of " parliaments, is ſo far engaged, that our future ſecurity " ſeems to depend upon it; I mean, the making good the " deficiencies of the funds, and the diſcharging the debts " contracted by reaſon of the war.

" And, till we may be ſo happy to ſee the public debts " paid, I ſhall hope no ſeſſion will end without ſomething " done towards leſſening them. While I am ſpeaking to " you on this head, I think myſelf obliged to mention, with " a very particular concern, a debt, which is owing to the " prince of Denmark, the ſtate whereof I have ordered to " be laid before you.

" Gentlemen of the Houſe of Commons,

" Theſe are things of ſuch importance, that I muſt earneſt- " ly recommend them to your conſideration, and deſire you " to provide the neceſſary ſupplies.

" My Lords and Gentlemen,

" There is nothing I ſhould more rejoice in, than that I " were not under the neceſſity of ſo often aſking aids of my " people. But as the reaſon of it is evident, becauſe the " funds, formerly applied to defray the public expence, are " now anticipated for payment of the debts of the kingdom; " ſo it is my ſatisfaction, that you all ſee, that nothing of " what is demanded, is for any perſonal uſe of mine. And " I do faithfully aſſure you, that no part of what is given " ſhall be diverted from any purpoſe, for which it is de- " ſigned.

1690.

" I believe the nation is already ſenſible of the good " effects of peace, by the manifeſt increaſe of trade, which " I ſhall make it my buſineſs to encourage by all means in " my power. Probably, it might receive an advantage, if " ſome good bill were prepared for the more effectual pre- " venting and puniſhing unlawful and clandeſtine trading, " which does not only tend to defraud the public, but pre- " judices the fair merchant, and diſcourages our own manu- " factures.

" The increaſe of the poor is become a burden to the " kingdom; and their looſe and idle life does, in ſome " meaſure, contribute to that depravation of manners, which " is complained of (I fear, with too much reaſon.) Whether " the ground of this evil be from defects of laws already " made, or in the execution of them, deſerves your con- " ſideration. As it is an indiſpenſable duty, that the poor, " who are not able to help themſelves, ſhould be maintained; " ſo I cannot but think it extremely deſirable, that ſuch, as " are able and willing ſhould not want employment; and " ſuch as are obſtinate and unwilling, ſhould be compelled " to labour.

" My Lords and Gentlemen,

" I have a full aſſurance of the good affections of my " people; which I ſhall endeavour to preſerve, by a conſtant " care of their juſt rights and liberties; by maintaining the " eſtabliſhed religion; by ſeeing the courſe of juſtice kept " ſteady and equal; by countenancing virtue, and diſ- " couraging vice; and by declining no difficulties nor dangers, " where their welfare and proſperity may be concerned. " Theſe are my reſolutions; and I am perſuaded that you " are come together with purpoſes, on your part, ſuitable " to theſe of mine. Since, then, our aims are only for the " general good, let us act with confidence in one another; " which will not fail, by God's bleſſing, to make me a happy " king, and you a happy, flouriſhing people."

This excellent ſpeech was ſo far from removing (as it was hoped) the ill impreſſions, which the diſſatisfaction the king had expreſſed upon the proceedings of the commons, when he parted with them laſt, had left in their minds, that it ſerved rather to increaſe them. The commons, notwithſtanding their diſbanding the forces, would not ſuffer the leaſt intimation of their want of confidence in the king; and grew angry at their being thought to have given any occaſion

The commons remonſtrance. ibid. Dec. 4.

1699. ſion to ſuch a ſuſpicion: Inſtead, therefore, of an addreſs of thanks, they preſented a ſort of remonſtrance, ſetting forth; "That, being highly ſenſible, that there was nothing "more neceſſary for the peace and proſperity of the kingdom, "for the quieting people's minds, and diſappointing his ene-"mies deſigns, than a mutual and entire confidence between "him and his parliament; they did eſteem it their greateſt "misfortune, that, after having ſo amply provided for his "and the government's ſecurity, both by ſea and land, any "jealouſy or miſtruſt had been raiſed of their duty and af-"fection to him and his people: And begged leave to re-"preſent to him, That it would greatly conduce to the "continuing and eſtabiſhing an entire confidence between "him and them, that he would ſhew marks of his high diſ-"pleaſure towards all, that ſhould preſume to miſrepreſent "their proceedings to him; and they, on their part, being "duly ſenſible of his conſtant concern to maintain their civil "and religious rights, in defence whereof he had ſo often "expoſed his perſon, would do all they could to prevent and "diſcourage all falſe rumours and reports, reflecting on his "majeſty's government, whereby to create any miſunder-"ſtanding between him and his ſubjects." To this the king returned the following anſwer:

The king's anſwer. "Gentlemen, My parliaments have done ſo great things "for me; and I have, upon all proper occaſions, expreſſed "ſo great a ſenſe of their kindneſs; and my opinion has "been ſo often declared, that the happineſs of any Engliſh "king depends upon an intire correſpondence between him "and his parliament, that it may not ſeem ſtrange for me "to aſſure you, that no perſon has ever yet dared to go "about to miſrepreſent to me the proceedings of either "houſe. Had I found any ſuch, they would immediately "have felt the higheſt marks of my diſpleaſure. It is a "juſtice I owe, not only to my parliament, but to every "one of my ſubjects, to judge of them by their actions: "And this rule I will ſteadily purſue. If any ſhall attempt "hereafter, to put me upon other methods, by calumnies, "or miſrepreſentations, they will not only fail of ſucceſs, but "ſhall be looked upon and treated by me, as my worſt "enemies.

"Gentlemen, I am pleaſed to ſee by your addreſs, that "you have the ſame thoughts of the great advantages, which "will enſue to the kingdom from our mutual confidence, as "I expreſſed to both houſes at the opening of this ſeſſion. "I take very kindly the aſſurance you give me, of uſing

"your

" your utmoſt care and endeavours to prevent and diſcourage " all falſe rumours and reports reflecting upon me and my " government; and I faithfully promiſe you, that no actions " of mine ſhall give you a juſt ground for any miſunder- " ſtanding between me and my people." 1699.

As thoſe, who oppoſed the king, were reſolved to force a change of miniſtry upon him, they ſought all occaſions for this, and imagined they had found a good pretence, in the following affair. A change of miniſtry endeavoured.

In the beginning of the year 1695, the earl of Bellamont was made governor of New York; and the king at that time did him the honour to ſay, that " he thought him a man of " reſolution and integrity, and, with thoſe qualities, the more " likely than any other he could think of to put a ſtop to " the growth of piracy;" with which that province and the reſt of the American colonies were remarkably infeſted, for which reaſon he intended to put the government of New England alſo into his hands. Upon this all perſons, who had concern in New York, made their application to him; and among others colonel Robert Levingſton, a man of a conſiderable eſtate and fair reputation, who had ſeveral employments in the province of New York; on which account, as well as that of other matters, which he had then depending before the council and the treaſury, he had frequent acceſs to him. Bellamont taking occaſion to mention to him the ſcandal, which lay upon New York, in reſpect to the encouragement, which pirates found there, Levingſton confeſſed, there was too much ground for the complaint; and that, if ſome ſpeedy and effectual courſe was not taken to ſuppreſs theſe enormities, ſo many perſons would be drawn into the guilt, that it would become very difficult to maſter them. He then propoſed to him to employ captain William Kidd lately come from New York, in a ſloop of his own, who had told him he knew moſt of the principal pirates, and their places of rendezvous, and would undertake to ſecure moſt of them, in caſe he might be employed in one of the king's ſhips, a good ſailor, of about thirty guns and one hundred and fifty men, ſince, though the pirates were many in number, yet they had at that time no ſhips of conſiderable force. Levingſton repreſented Kidd as a bold honeſt man, and one he believed fitter than any other to be employed on that occaſion. The earl of Bellamont acquainted the king with this propoſal, which was thought neceſſary to be immediately conſidered, becauſe ſeveral informations upon oath were then come to the ſecretary of ſtate of ſeveral veſſels gone

Kidd's affair. St. Tr. III. 236, &c.

1699. gone and going from Bermudas, New York, Rhode Iſland, &c. under the command of Thomas Too, William Maze, John Ireland, Thomas Wake, and others, all of them pirates, who had made ſeveral piratical voyages, and returned with great wealth. The king conſulted the admiralty on this occaſion; but the war employing all the king's ſhips, which were in a condition for ſervice, and the great want of ſeamen, notwithſtanding the preſs, and all other means uſed, together with the remoteneſs of the voyage, and the uncertainty of meeting with the pirates, or taking them, though they might be found out, occaſioned, after ſome deliberation, the laying aſide of this project. Levingſton however, would not give it over, but propoſed to the earl of Bellamont, that, if perſons of conſideration might be induced to join in the expence of buying and fitting out a proper ſhip, he had ſuch an opinion of Kidd's capacity and good meaning, and ſo great a deſire that ſome ſtop might be put to thoſe piracies, that he would himſelf be one of the undertakers, and that he and Kidd would be a fifth part of the charge; Kidd, as he alledged, being a ſettled inhabitant at New York, where he had a competent eſtate, and had married a wife with a good fortune, by whom he had a child: That he lived regularly, and his good behaviour might be depended upon with aſſurance, becauſe, if he did otherwiſe than as his duty would oblige him, he had no place to go to, for he had acted ſuch things againſt the French ſince the war, that he durſt never truſt himſelf to them. But, as the ſtrongeſt argument that could be made uſe of for truſting Kidd, the colonel offered to be bound for the faithful execution of his commiſſion. All this the earl made known to the king, who highly approved of the deſign; and, to encourage it, was pleaſed to conſent, that the perſons, who engaged, ſhould have a grant of what Kidd ſhould take from the pirates, as far as it might belong to them, except a tenth, which was reſerved to ſhew, that the king was a partner in the undertaking. Upon this encouragement, the earl of Bellamont propoſed it to the lord chancellor Sommers, the duke of Shrewſbury, the earl of Romney, and the earl of Orford, ſir Edmund Harriſon, and others, who agreed to his propoſal of 6000l. expence, of which Levingſton and Kidd were to be a fifth part. The whole management of the affair was left to the earl of Bellamont. The commiſſion granted to Kidd had nothing in it contrary to law, or different from the conſtant form of commiſſions of that kind, of which there had been a great number. There was a power to fight with and ſeize pirates,

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in order to bring them to a legal trial; but not a word of treating with them, or pardoning them; yet this was given out by the old East-India company, and that Kidd was a notorious pirate, whereas he had received a commission from the admiralty as a privateer, before he was employed by these noble adventurers, of whom he never saw the duke of Shrewsbury or the lord Sommers. He was introduced to the earl of Orford by the earl of Bellamont, and to the earl of Romney by colonel Hewetson, which was all he knew of them. He had no instructions public or private from any of the adventurers, except sailing orders from the earl of Bellamont, by which he was directed to pursue the letter of his commission. 1699.

Pursuant to the orders, which Kidd had received from the earl of Bellamont and sir Edmund Harrison, he sailed in the Adventure Galley from Plymouth, in April 1696, to New-York, and in his way took a French prize. From thence he went to Madera, thence to Bonavilla, and St. Jago, from whence he proceeded to Madagascar, and from thence he cruised at the entrance of the Red Sea; but, effecting nothing, he sailed to Calicut, and took a ship of a hundred and fifty tons; the master of which, and three or four of his crew, were Dutchmen, the rest Moors; and this ship he carried to Madagascar [c]. From thence he sailed again, and about five weeks after took the Quedagh Merchant of four hundred tons; the master of which was one Wight

[c] The pirates had made a sort of settlement on the island of Madagascar, under Henry Avery, who, thinking himself not well used in the English sea service, had turned pirate. This man had not only taken and robbed a large ship belonging to the Mogul, on board of which was an Indian princess and a great treasure, but he committed several other piracies. The East-India company, fearing reprisals from the Mogul, represented the necessity of destroying these pirates, who were thus harboured in Madagascar. Avery and his companions falling out, and being almost left alone, he got a passage to England, and as some say to Ireland. He had intrusted the remains of the plunder which he brought with him, with a person who cheated him of so much of it, that he died of want. The lords justices of England, hearing of his arrival in 1696, issued out a proclamation for apprehending this famous pirate. His father was a Devonshire man, and lived near Biddeford, where he had a small estate. His mother and sister were both there, when the proclamation was read for his apprehension, and it was said, he had presented his sister with the pearl necklace, he had taken from the Indian princess, which she afterwards sold.

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1699. an Engliſhman. She had on board two Dutch mates and a French gunner; the crew were all Moors; in all about ninety perſons. This ſhip he carried to St. Mary's near Madagaſcar, and there he ſhared the goods with his crew, forty ſhares to his own uſe. Here ninety of his crew, who were a hundred and fifty-one in all, left him, and went on board the Mocha frigate, an Eaſt-India company ſhip, which had turned pirate, and then lay there. Kidd and the reſt of his men burnt the Adventure Galley at St. Mary's, and they all went on board the Quedagh Merchant, and ſailed for the Weſt-Indies. Being denied ſuccour at Anguilla and St. Thomas's, he ſailed to Mona, lying between Porto-Rico and Hiſpaniola, and there, by the means of one Bolton, got ſome proviſions from Curaçoa. He bought a ſloop of Bolton, in which he loaded part of his goods, and left the Quedagh Merchant, with the reſt of the goods, in truſt with Bolton, and ſeventeen or eighteen men in her. In this ſloop he touched at ſeveral places, and diſpoſed of a great part of his goods, and at laſt came to Boſton in New England, where the earl of Bellamont ſeized him, and what goods he had left; for he had pretended, that the Quedagh Merchant, being manned with Moors, was a lawful prize, though there was no proof, that the commander and his crew had committed any piracies on the Engliſh or any European, or indeed Indian nation. The earl of Bellamont, by his letters of the 8th of July 1699, ſent notice of Kidd's being taken to the ſecretary of ſtate, and to the council of trade; tranſmitted the informations againſt him, together with his examinations, and a particular account of all his own proceedings in relation to Kidd and other pirates; and preſſed, that immediate care might be taken in England, to ſend for them in order to their trial, taking notice, that in New England there was no law to puniſh piracy with death; and that in thoſe parts the people were ſo favourable to pirates, by reaſon of the wealth they brought and diſperſed among them, that little juſtice could be expected. He likewiſe deſired orders with reſpect to the goods, which he had ſecured. Upon this advice the lords juſtices directed the admiralty immediately to diſpatch away one of the king's ſhips to fetch Kidd and the other pirates in ſafe cuſtody, together with their effects. The admiralty appointed the Rocheſter man of war for that ſervice, which had her orders accordingly, and ſailed for Boſton with other ſhips under her convoy; but the Rocheſter being diſabled by a ſtorm from continuing the voyage, and

forced

forced back, it was preſently reported, that it was all collu- 1699.
ſion between the miniſters and adventurers, who had no mind that Kidd ſhould be brought to England, for fear of his making diſcoveries, that the duke of Shrewſbury, the lord chancellor Sommers, &c. were turned pirates; ſince to be partner with pirates is the ſame thing as being pirates themſelves. So heavy a load was caſt on the miniſtry, chiefly on him who was at the head of the juſtice of the nation; it was ſaid, he ought not to have engaged in ſuch a project; and it was maliciouſly inſinuated, that the privateer would not have turned pirate, in confidence of the protection of thoſe who employed him, if he had not ſecret orders from them for what he did. Such black conſtructions are men, who are engaged in parties, apt to make of the actions of thoſe, whom they intend to diſgrace, even againſt their own conſciences: So that an undertaking, that was not only innocent but meritorious, was traduced as a deſign for robbery and piracy. This was urged in the houſe of commons as highly criminal, for which all, who were concerned in it, ought to be turned out of their employments; and a motion was made, the 6th of December, that the letters patents granted to the earl of Bellamont and others, of pirates goods, were diſhonourable to the king, againſt the law of nations, contrary to the laws and ſtatutes of the land, invaſive of property, and deſtructive of trade and commerce; but it was rejected by a great majority.

The next attempt was to remove the biſhop of Saliſbury from being preceptor to the duke of Glouceſter. Some objected his being a Scotchman; and others remembered his paſtoral letter, which had been ordered to be burnt. So an addreſs to the king, for that purpoſe, was moved, the 13th of December; but this motion was likewiſe loſt by the ſame majority, that had carried the former vote [a]. An attempt for the removal of biſhop Burnet.

Mean

[a] About this time biſhop Burnet publiſhed a noted work, of which he gives the following account: I publiſhed, this year, an expoſition of the thirty-nine articles of religion: it ſeemed a work much wanted, and it was juſtly to be wondered at, that none of our divines had attempted any ſuch performance, in a way ſuitable to the dignity of the ſubject: for ſome ſlight analyſes of them are not worth either mentioning or reading. It was a work, that required ſtudy and labour, and laid a man open to many malicious attacks; this made ſome of my friends adviſe me againſt publiſhing it; in compliance with them, I kept it five years by me, after I had finiſhed it: but I was now prevailed

1699. Mean while, the ſupply for the ſmall army and fleet was ſettled, and a fund was given for it. Thoſe, who had reduced the army, thought it needleſs to have ſo great a force at ſea; ſo, on the 21ſt of December, it was reſolved, that ſeven thouſand men ſhould be the compliment for ſea-ſervice the next year. This was moved by the tories, and the whigs readily gave way to this reduction, becauſe the fleet was now in another management; the earl of Orford, with his friends, being laid aſide, and a ſet of tories brought into their places [d].

The ſupply ſettled.

The

vailed on by the archbiſhop and many of my own order, beſides a great many others, to delay the publiſhing it no longer. It ſeemed a proper addition to the hiſtory of the reformation, to explain and prove the doctrine, which was then eſtabliſhed. I was moved firſt, by the late queen, and preſſed by the late archbiſhop to write it; I can appeal to the ſearcher of all hearts, that I wrote it, with great ſincerity and a good intention, and with all the application and care, I was capable of; I did then expect, what I have ſince met with, that malicious men would employ both their induſtry and ill-nature, to find matter for cenſure and cavils; but, though there have been ſome books writ on purpoſe againſt it, and many in ſermons and other treatiſes have occaſionally reflected, with great ſeverity, upon ſeveral paſſages in it, yet this has been done, with ſo little juſtice or reaſon, that I am not yet convinced, that there is one ſingle period or expreſſion, that is juſtly remarked on, or that can give me any occaſion, either to retract, or ſo much as to explain any one part of that whole work; which I was very ready to have done, if I had ſeen cauſe for it. There was another reaſon, that ſeemed to determine me to the publiſhing it at this time, namely, the growth of popery.

[d] The commons laid a duty on Iriſh hops, on Eaſt-India goods, and continued the duties on French goods and wines, towards raiſing the ſupply; and ordered a clauſe in one of the money bills, for the importing, cuſtom-free, a certain quantity of paper for printing Dr. Alix's eccleſiaſtical hiſtory. They reſolved, that a ſupply be granted to his majeſty towards the payment of his proportion of the debt owing to the prince of Denmark, and the monies to be raiſed to be laid out in this kingdom, and ſettled upon the prince and princeſs, and their iſſue, according to their marriage-agreement. That an addreſs he preſented to his majeſty, that he would uſe his endeavours to procure other princes and ſtates to pay their proportions of the ſaid debt. They agreed upon a ſupply for the coi[illegible] age, for circulating exchequer bills one [illegible] for making [illegible] deficiencies of the [illegible] pound [illegible] his majeſ[illegible] ty on [illegible]

The great buſineſs of this ſeſſion was the affair of the forfeited eſtates in Ireland. Among the complaints againſt the court, one was, that the king had given grants of theſe eſtates. It has been remembered, that, a bill being ſent up by the commons, attainting the Iriſh that had been in arms, and applying their eſtates to the paying the public debts, leaving only a power to the king, to diſpoſe of the third part of them, was like to lie long before the lords; many petitions being offered againſt it; upon which the king, to bring the ſeſſion to a ſpeedy concluſion, had promiſed, that this matter ſhould be kept intire, till their next meeting: but, the next ſeſſion going over, without any proceeding in it, the king granted away all thoſe confiſcations: it being an undoubted branch of the royal prerogative, that all confiſcations accrued to the crown, and might be granted away at the pleaſure of the king: it was pretended, that thoſe eſtates came to a million and a half in value. Great objections were made to the merits of ſome, who had the largeſt ſhare in thoſe grants; attempts had been made, in the parliament of Ireland, to obtain a confirmation of them, but that which Ginckle, who was created earl of Athlone, had, was only confirmed; now it was become a popular ſubject of declamation, to arraign both the grants, and thoſe who had them: motions had been often made, for a general reſumption of all the grants, made in this reign; but, in anſwer to this, it was ſaid, that, ſince no ſuch motion was made, for a reſumption of the grants made in *king* Charles the ſecond's reign, *notwithſtanding the extravagant* profuſion of them, and *the ill grounds, upon which* they were made, it *ſhewed* both a diſreſpect and a black ingratitude, if, while no other grants were reſumed, this king only ſhould be called in queſtion. The court party ſaid often, let the retroſpect go back to the year 1660, and they would conſent to it, and that which might be got by it would be worth the while. It was anſwered, this could not be done after ſo long a time, that ſo many ſales, mortgages, and ſettlements had been made, purſuant to thoſe grants; ſo all theſe attempts came to nothing. But, in the laſt ſeſſion, a more effectual method was taken. A commiſſion was given, by act of parliament, to ſeven per-

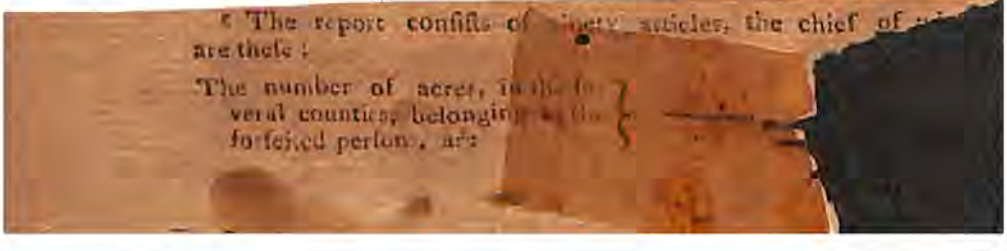
1699. The affair of the forfeited eſtates. Burnet. S. Tr. II. 709.

ment, granted in the ſame ſeſſion of parliament; of the malt-tickets and quarterly poll granted in the next [illegible] for paying off the tranſport debt, and for payment of the debt due to the navy, and ſick and wounded ſeamen.

ſons

1699. ſons named by the houſe of commons, to inquire into the value of the forfeited eſtates in Ireland ſo granted away, and into the conſiderations upon which thoſe grants were made. Accordingly theſe commiſſioners, namely, the earl Drogheda, Francis Anneſley, John Trenchard, James Hamilton, Henry Langford, ſir Richard Leving, and ſir Francis Brewſter went over to Ireland, and affected a great zeal in the execution of their truſt. They proceeded like inquiſitors, and did readily believe every thing that was offered them, which tended to inflame the account; as they ſuppreſſed all that was laid before them, which contradicted their deſign of repreſenting the value of the grants very high, and of ſhewing how undeſerving thoſe were who had obtained them. They repreſented the confiſcated eſtates to be ſuch, that, out of the ſale of them, above a million and a half might be raiſed. The commiſſioners diſagreed in ſome points. So the report was delivered on the 15th of December to the houſe of commons, by four only of the ſeven commiſſioners; the other three, namely, the earl of Drogheda, ſir Richard Leving, and ſir Francis Brewſter, had refuſed to ſign it, becauſe they thought it falſe and ill-grounded in ſeveral particulars, of which they ſent over an account to both houſes; but no regard was had to their memorial, nor was any inquiry made into their objections to the report. Theſe three were looked on as men gained by the court; and the reſt were magnified as men that could not be wrought on, nor frighted from their duty. The ſpecious propoſal of raiſing ſo large a ſum as a million and a half, towards diſcharging the public debts, ſo took with the houſe, that no complaint againſt the proceedings of the commiſſioners could be hearkened to, and all the methods uſed to diſgrace the report had the quite contrary effect; and the hatred into which the favourites were fallen, among whom, and their creatures, the grants were chiefly diſtributed, made the motion go the quicker.

Dec. 15. When therefore the report was peruſed by the commons, they reſolved, that a bill ſhould be brought in for applying all the forfeited eſtates in Ireland, and grants thereof, ſince the 13th of February 1688, to the uſe of the publick. All op-



opposition to this was looked upon as a courting of the men in favour; nor was any regard paid to a motion for reserving 1699.

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	Acres. l.
These, being worth 211,623 l. a year, at 6 years purchase for a life, and at 13 years, for the inheritance, come to the full value of	2,685,130
Out of these lands, the estates, restored to the old proprietors by the articles of Limerick and Galway, are valued at 724,923 l. and those restored by royal favour, at 260,863 l. after these and several other allowances, the gross value of all the estates forfeited since the 13th of February 1688, and not restored, amounts to	1,699,343

The number of grants and custodiams, since the battle of the Boyne, under the great seal of England, are 76, some of the principal of which are mentioned, namely,

	Acres.
To the lord Romney, three grants of	495,17
To the earl of Albermarle, two grants of	108,633
To William Bentinck (lord Woodstock)	135,820
To the earl of Athlone (occasioned by the parliament of Ireland)	26,480
To the earl of Galway	36,148
To the earl of Rochford, two grants of	30,512
To the lord Coningsby,	5,966
To colonel Gustavus Hamilton, for his services, in wading through the Shannon and storming Athlone, at the head of the English grenadiers,	5,382
To sir Thomas Pendergrass, for discovering the assassination-plot,	7,082

It is also observed, that several of the grantees had raised great sums of money, by the sale of their [illegible] amounting, in all, to 68[illegible] l. particularly, the [illegible]thlone (his grant being confirmed by act of parliament) had sold to the amount of 17,684 l. the lord Romney, 30,147 l. and the earl of Albermarle, 13,000 l.

1699. ing a third part, to be disposed of by the king, which had been in the bill that was sent up eight years before to the lords.

In these, and most other articles, the commissioners all agreed; but a difference arose amongst them on account of king James's private estate, granted to him when duke of York. This estate three of the commissioners, and particularly Leving, would not allow to be forfeited, and consequently ought not to be reported. Whilst they were debating this matter, Mr. Arthur Moore, member of the house of commons, sent them a letter of his own private motion, wherein he directed them to make a separate article of the lady Orkney's grants, because that might reflect upon somebody, meaning the king. Mr. Mountague chancellor of the exchequer, having learned the contents of Moore's letter, and being zealous to vindicate the king's honour, which he thought was struck at in that letter, complained of it to the house. Being pressed to tell his author, he at first excused himself, alledging, that he was under a private obligation not to reveal what had passed in private conversation; but, the house insisting upon it, he named Mr. Methuen, lord chancellor of Ireland, who was also a member of the house; but he denied positively, that he had ever mentioned any such thing. The house therefore resolved on the 15th of January, that the said report was false and scandalous; and a motion being made, "That the four commissioners for Irish forfeitures, "who signed the report presented to the house, had acquitted themselves in the execution of that commission with "understanding and integrity," a warm debate arose thereupon, which was adjourned to the next day, when the commons resolved, "That the four commissioners "had acquitted themselves in "the execution of their commission with understanding, "courage, and integrity; that "sir Richard Leving had been "the author of the groundless "and scandalous aspersions cast "upon the four commissioners. "And that sir Richard Leving be "committed prisoner to the tower of London for his offence." However, after all, this estate was placed at the end of the report, in a different manner from the rest. We shall conclude (say the four commissioners who signed the report) by laying before your honours another grant of a considerable value, which we are apprehensive does not fall within the letter of our inquiry. But since the benefit of some forfeited leases or holdings are therein granted, we chose rather to lay the whole grant before you, than be thought deficient in executing any part of our duty, or what might be expected from us.

Journals of the house of commons.

A grant under the great seal of England, dated the 30th of [illegible] passed to Mrs. Eli[illegible] countess of [illegible]

lords. When this was moved, it was answered, that the grantees had enjoyed those estates so many years, that the mean profits did arise to more than a third of their value. As the party for this bill apprehended that many petitions would be offered to the house, which the court would probably encourage, on design, at least, to retard their proceedings, they, to prevent this, and that the bill might not be clogged with too many clauses, passed a vote of a very extraordinary nature, that they would not receive any petition from any person whatsoever, concerning the grants; adding at the same time, that they would consider the great services performed by the commissioners appointed to inquire into the forfeited estates [d]. 1699.

After

to the lord Athlone) containing 95,649 acres, worth yearly 25,995 l. 18 s. value 337,943 l. There is payable out of this estate 2000 l. a year, to the lady Susanna Bellasis for her life, and 1000 l. a year to Mrs. Godfrey for her life, and almost all the old leases determined in May 1701, and then the estate will answer the values above mentioned.

This report was signed by Annesly, Trenchard, Hamilton, and Langford. The other three refused to sign it, upon account of this and seven other articles of the ninety. They gave their reasons for it, in a letter to the lord chancellor, November 1699, and in another to the speaker; but the house would not hear it read, because the other four commissioners, whose conduct was complained of in the letter, had not set their hands to it.

The report was likewise animadverted upon, in a tract intitled, Jus Regium, or the king's right to grant forfeitures, &c. This author brings down the value of the forfeitures, to 780,000 l. o[illegible] which, he deducts all the debts and incumbrances, with three years profits of the lands for the expences of the trust, and allows, that they will yield 500,000 l. in Ireland. He gives an instance of the commissioners over-valuing the lands, in the private estate of king James, being a grant to him, when duke of York, of all the estates of the Regicides. Instead of 95,649 acres, he reduces them to 78,915, and the yearly value from May 1701, when all the old leases are determined, to 8489 l. instead of 25,995 l. subject to the annuities above-mentioned, besides 10,000 l. in arrears to the lady Bellasis. There had been 9887 l. received for fines, out of this estate, by Mr. Broderick and Mr. Pooley, which are lost to the tenants by the resumption. The author, in the same manner, examines all the then grants, and shews, that the commissioners were deceived both in the number of acres, and value of the estates. St. Tracts II. 709-773.

[d] Accordingly, on the 7th of March, the commons resolved, that the sum of 1000 l. be paid to

1699. After this, on the 18th of January, it was farther resolved by the commons, that the advising, procuring, and passing these grants had occasioned great debts upon the nation, and heavy taxes upon the people, and highly reflected on the king's honour; and that the officers and instruments, concerned in the same, had highly failed in the performance of their trust and duty. Then it was voted, that this resolution should be presented to the king in the form of an address, which was accordingly done on the 21st of February; to which the king, five days after, returned this answer:

Jan. 18.

Feb. 15.
Feb. 26.

Gentlemen,

"I was not only led by inclination, but thought myself obliged, in justice, to reward those who had served well, and particularly in the reduction of Ireland, out of the estates forfeited to me, by the rebellion there.

Pr. H. C. III. 124.

"The long war, in which we were engaged, did occasion great taxes, and has left the nation much in debt; and the taking just and effectual ways for lessening that debt, and supporting public credit, is what, in my opinion, will best contribute to the honour, interest, and safety of this kingdom."

The commons were so provoked with this answer, that they resolved, that whosoever had advised it, had used his utmost endeavours to create a misunderstanding and jealousy between the king and his people. They then proceeded on the bill of resumption, which being finished, they passed, the 2d of April. In justification of their proceedings, they ordered the report of the commissioners for the Irish forfeitures to be published; "and that the resolution of the 18th of January last; the resolution of the 4th of April 1690, relating to the forfeited estates; his majesty's speech to both houses, the 5th of January 1690-1; the address of the house to the king, the 15 of February last; his majesty's answer thereunto, the 26th of the same February; and the resolution of the house thereupon; and

to the earl of Drogheda, Francis Annesly, John Trenchard, James Hamilton, Henry Langford, and to James Hooper secretary to the commissioners; and the sum of five hundred only to sir Richard Leving and sir Francis Brewster, in consideration of their expences; [illegible] ordered to b[illegible] Irish forfeitu[illegible]

[illegible] lastly,

1699.

"lastly, the address of the house of commons of the 4th "of March 1692-3, and his majesty's answer thereunto, "be also re-printed with the report;" and they resolved, "That the procuring or passing exorbitant grants by any "member now of the privy-council, or by any other, that "had been a privy-counsellor, in this or any former reign, "to his use or benefit, was a high crime and misde-"meanor."

The bill of resumption. April 2.

In the bill of resumption little regard was shewn to the purchases made under those grants, and to the great improvements made by the purchasers or tenants, which were said to have doubled the value of those estates. However, that some justice might be done both to purchasers and creditors, thirteen trustees were named, in whom all the forfeited estates were vested, and they had a very great and uncontroulable authority lodged with them, of hearing and determining all just claims, relating to those estates, and of selling them to the best purchasers; and the money, to be raised by this sale, was appropriated to pay the arrears of the army [b]. Among all the cases, that of the earl of Athlone's was the most singular. The house of commons had been so sensible of his good service in reducing Ireland, that they had made an address to the king, to give him a recompence suitable to his services. And the parliament of Ireland was so sensible of their obligations to him, that they confirmed this grant of between two and three thousand pounds a year. He had sold it to those, who thought they had purchased

The earl of Athlone's case.

[b] On the 26th of March, the commons having considered of the number, qualifications, and manner of chusing the trustees for the bill of Irish forfeitures, resolved, "That the number "of the trustees be thirteen: that "no person be a trustee, who "had any office of profit, or "was accountable to his majes-"ty, or was a member of this "house: and that the trustees "be chosen by ballotting." Two days after, the several members having given in lists of thirteen [illegible], which were [illegible] the majority [illegible] Annesley, James [illegible] John Baggs, John Trenchard, James Isham, Henry Langford, James Hooper, sir Cyrile Wyche, John Cary, sir Henry Sheeres, Thomas Harrison, sir John Warden, William Fellowes, and Thomas Rawlins. The two last having equal voices, one of them must have been left out, but, the house being informed, that sir John Warden was a baron of the Exchequer in the county palatine of Chester during his life, at a yearly salary from the crown, it was resolved, that sir John Warden was not capable of being a trustee in the bill, and so the other two stood.

1700. under an unqueſtionable title; yet all that was now ſet aſide, no regard being had to it; ſo that this eſtate was thrown into the heap. Some exceptions were made in the bill in favour of ſome grants, and proviſion was made for rewarding others, whom the king, as they thought, had not enough conſidered. Great oppoſition was made to this by ſome, who thought, that all favours and grants ought to be given by the king, and not originally by an houſe of parliament; and this was managed with great heat, even by ſome of thoſe, who concurred in carrying the bill. In concluſion, it was, by a new term, as well as a new invention, conſolidated with the money-bill, that was to go for the pay of the fleet and army, and, under the title of a bill, for granting an aid to his majeſty, by the ſale of the forfeited and other eſtates and intereſts in Ireland, and by a land-tax in England, for the ſeveral purpoſes therein mentioned, was carried up to the houſe of lords, which by conſequence they muſt either paſs or reject. The method that the court took in the houſe of lords to oppoſe it, was to offer ſome alterations, which were indeed very juſt and reaſonable: but ſince the commons would not ſuffer the lords to alter money-bills, this was in effect to loſe it. The court, upon ſome previous votes, found they had a majority among the lords; ſo, for ſome days, it ſeemed to be deſigned to loſe the bill, and to venture on a prorogation or a diſſolution, rather than paſs it. The bill being ſent down with ſome alterations to the commons, they not only diſapproved them, but began to fly out into high votes, both againſt the miniſters and favourites, and ordered a liſt of the privy-council to be laid before them. There were ſeveral conferences between the two houſes, in which the lords ſtrongly inſiſted on their amendments. The commons were ſo exaſperated at this, that they ordered the lobby of their houſe to be cleared of all ſtrangers; the back doors of the ſpeaker's chamber to be locked up; and that the ſerjeant ſhould ſtand at the door of the houſe, and ſuffer no members to go forth; and then proceeded to take into conſideration the report of the Iriſh forfeitures, and the liſt of the lords of the privy-council; and a queſtion was moved, "That an addreſs be made to "his majeſty to remove John lord Sommers, lord chancellor "of England, from his preſence and councils for ever;" but it was carried in the negative by a greater majority, than had appeared at the beginning of the ſeſſion.

The lord Sommers, during theſe debates, was ill; and the worſt conſtruction poſſible was put upon that; for it was ſaid, that

that he adviſed all the oppoſition, which was made to the bill, in the houſe of lords, but that, to keep himſelf out of it, he feigned that he was ill; though his great attendance, in the court of chancery, the houſe of lords, and at the council table, had ſo impaired his health, that every year, about that time, he uſed to be brought very low, and diſabled from buſineſs. The king ſeemed reſolved to venture on all the ill conſequences, that might follow the loſing this bill, though they would probably have been very fatal. As far as could be judged, either another ſeſſion of that parliament, or a new one, would have baniſhed the favourites, and begun the bill anew, with the addition of obliging the grantees, to refund all the mean profits. Many in the houſe of lords, who in all other things were very firm to the king, were for paſſing this bill, notwithſtanding his earneſtneſs againſt it, ſince they apprehended the ill conſequences that were like to follow, if it were loſt. Biſhop Burnet was one of theſe, and the king was much diſpleaſed with him for it. The biſhop ſaid, that he would venture his majeſty's diſpleaſure, rather than pleaſe him in that, which he feared would be the ruin of his government; not apprehending at that time, what injuſtice lay under many of the clauſes in the bill, which appeared afterwards ſo evidently, that the very ſame perſons who drove on the bill, were convinced of them, and redreſſed ſome of them in acts that paſſed in ſubſequent ſeſſions [c]. 1700

The king became ſullen upon all this, and upon the many incidents, that are apt to fall in upon debates of this nature. He either did not apprehend in what ſuch things might end, or he was not much concerned at it. His reſentment, which was much provoked, broke out into ſome inſtances, which gave ſuch handles to his enemies, as they wiſhed for; and they improved thoſe advantages, which his ill conduct gave them, with much ſpite and induſtry, ſo as to

[c] The biſhop ſays, if he had rightly underſtood that matter in time, he would never have given his vote for ſo unjuſt a bill. He only conſidered it as an hardſhip put on the king, many of his grants being thus made void, ſome of which had not been made on good and reaſonable conſiderations, ſo that they could hardly be excuſed, much leſs juſtified. He thought the thing was a ſort of force, to which it ſeemed reaſonable to give way at that time, ſince the king's friends were not furniſhed with an equal ſtrength to withſtand it. But, when he ſaw afterwards, what the conſequences of this act proved to be, he firmly reſolved never to conſent again to any tack to a money bill, as long as he lived.

1700. alienate the nation from him. It was once in agitation among the party, to make an addreſs to him againſt going beyond ſea; but even that was diverted with a malicious deſign. Hitherto the body of the nation retained a great meaſure of affection to him. This was beginning to diminiſh by his going ſo conſtantly beyond ſea; as ſoon as the ſeſſion of parliament was ended, though the war was now over. Upon this it grew to be publickly ſaid, that he loved no Engliſhman's face nor his company. His enemies therefore reckoned it was fit for their ends to let that prejudice increaſe in the minds of the people, till they might find a proper occaſion to ingraft ſome bad deſigns upon it.

The parliament is prorogued April 11.

The ſame day that the motion was made againſt the lord chancellor Sommers, the commons reſolved, "That an addreſs be made to his majeſty, that no perſon, who was "not a native of his dominions, except his royal highneſs "prince George of Denmark, be admitted to his majeſty's "councils in England or Ireland." But, before this addreſs could be preſented, the king came the next day to the houſe of peers, and, after paſſing the bill about the forfeited eſtates, with ſeveral others, commanded the earl of Bridgwater, who was ſpeaker of that houſe, in the abſence of the lord Sommers, to prorogue the parliament to the 23d of May. Thus ended a ſeſſion, by the proceedings of which men of all ſides were put into a very ill humour [d].

Among

[d] The king writ the following letter to the earl of Galway, ſoon after the prorogation of the parliament.

Hampton-Court, May 11, 1700.

It is a good while ſince I writ to you laſt. The reaſon is, that being always uncertain of the iſſue of the laſt ſeſſion of parliament, I was unwilling to anſwer any of your letters. You may judge, what vexation all their extraordinary proceedings gave me, and I aſſure you, your being deprived of what I gave you with ſo much pleaſure, was not the leaſt of my griefs. I hope, however, that I ſhall be in a condition to acknowledge the good ſervices you have done me, and you may depend upon it, I ſhall earneſtly ſeek occaſions to do ſo. It ought to be ſome ſatisfaction to you, in the juſt reſentment of what concerns you, that no body could blame your conduct; on the contrary, all appeared ſatisfied with it, and the vote, which paſſed in anger the laſt day, concerns you but indirectly. And I can aſſure you, that you was in no way the occaſion of it. There have been ſo many intrigues, in this laſt ſeſſion, that, without having been on the ſpot and well informed of [illegible] cannot be [illegible] impoſſible [illegible] the

Among the acts of this ſeſſion a very remarkable one paſſed againſt the papiſts. A complaint being made by the clergy of Lancaſhire, of the growth of popery, and a petition offered for more effectual methods to put a ſtop to it, a bill was propoſed, that obliged all perſons educated in that religion, or ſuſpected to be of it, who ſhould ſucceed to any eſtate before they were of the age of eighteen, to take the oaths of allegiance and ſupremacy, and the teſt, as ſoon as they came to that age; and, till they did it, the eſtate was to devolve to the next of kin, that was a proteſtant; but was to return back to them, upon their taking the oaths. All popiſh prieſts were alſo baniſhed by the bill, and were adjudged to perpetual impriſonment, if they ſhould again return into England; and the reward of an hundred pounds was offered to every one, who ſhould diſcover a popiſh prieſt, ſo as to convict him. Thoſe who brought this into the houſe of commons, hoped, that the court would have oppoſed it; but the court promoted the bill; ſo, when the party ſaw their miſtake, they ſeemed willing to let the bill fall; and when that could not be done, they clogged it with many ſevere and ſome unreaſonable clauſes, hoping that the lords would not paſs the act; and it was ſaid, that, if the lords ſhould make the leaſt alteration in it, they, in the houſe of commons, who had ſet it on, were reſolved to let it lie on their table, when it ſhould be ſent back to them. Many lords, who ſecretly favoured papiſts, on the Jacobite account, did, for this very reaſon, move for ſeveral alterations; ſome of theſe

1700.

A remarkable act againſt Papiſts. Burnet.

the commiſſion of the lords juſtices in Ireland, as it is at preſent; ſo I have reſolved to ſend thither the duke of Shrewſbury as viceroy, and that you command the army under him. Do not think that this will be a degradation, nobody here will take it to be ſo, and I know that every one wiſhes it, and believes it abſolutely neceſſary for my ſervice. I am fully perſuaded, as I hope, that you will not refuſe to accept of this command, nor relinquiſh my ſervice. I aſſure you, I never had more occaſion, than at preſent, of perſons of your capacity and fidelity. I hope I ſhall find opportunities to give you marks of my eſteem and friendſhip, and I would not engage you in this, were I not aſſured that no hurt can happen to you from it: But I know it will meet with a general approbation, and doubt not your friends will ſay the ſame, and I am glad to tell you, you have a great many and among all parties.

William R.

The duke of Shrewſbury refuſing to go to Ireland, there was no change made in the government, till the king's return from Holland.

import-

1700. importing a greater ſeverity; but the zeal againſt popery was ſuch in that houſe, that the bill paſſed without any amendment, and it had the royal aſſent. Biſhop Burnet, notwithſtanding his principles for toleration, and againſt perſecutir for conſcience-ſake, was for this bill. He had always thoug' that, if a government found any ſect in religion incompati' with its quiet and ſafety, it might, and ſometimes ough' ſend away all of that ſect, with as little hardſhip as poſſible. This act hurt no man that was in the preſent poſſeſſion of an eſtate; it only incapacitated his next heir, to ſucceed to that eſtate, if he continued a papiſt; ſo the danger of this, in caſe the act ſhould be well looked to, would put thoſe of that religion, who are men of conſcience, on the ſelling their eſtates; and, in the courſe of a few years, might deliver us from having any papiſts left among us. But this act wanted ſeveral neceſſary clauſes, to inforce the due execution of it; the word, next of kin, was very indefinite, and the next of kin was not obliged to claim the benefit of this act, nor did the right deſcend to the remoter heirs, if the more immediate ones ſhould not take the benefit of it; the teſt, relating to matters of doctrine and worſhip, did not ſeem a proper ground for ſo great a ſeverity; ſo this act was not followed nor executed in any ſort; but here is a ſcheme laid, though not fully digeſted, which on ſome great provocation, given by thoſe of that religion, may diſpoſe a parliament to put ſuch clauſes in a new act, as may make this effectual.

The duke of Norfolk, taking advantage of the precedent made the laſt year, in the caſe of the earl of Macclesfield, lodged a bill in the houſe of peers, to diſſolve his grace's marriage with the lady Mary Mordaunt, and to enable him to marry again, which in a few days paſt both houſes, notwithſtanding the oppoſition of the ducheſs of Norfolk [c].

The

[c] The duke had applied to the houſe of lords, in the year 1694, for a divorce, which occaſioned great and long debates; and on which biſhop Burnet thus remarks: In the latter ages of popery, when marriage was reckoned among the ſacraments, an opinion grew to be received, that adultery did not break the bond, and that it could only intitle to a ſeparation, but not ſuch a diſſolution of the marriage, as gave the party, that was injured, a right to marry again: This became the ruſh of the ſpiritual courts; though there was no definition made about it, before the council of Trent. At the time of the reformation, a ſuit of this nature was proſecuted by the marquiſs of Northampton:

The ſeſſion being ended, ſo much to the diſſatisfaction of all parties, the leaders of the tories ſeemed reſolved to puſh a change 1700.

Hampton: The marriage was diſſolved, and he married a ſecond time; but he found it neceſſary to move for an act of parliament, to confirm this ſubſequent marriage. In the reformation of the eccleſiaſtical laws, that was prepared by Cranmer and others, in king Edward's time, a rule was laid down, allowing of a ſecond marriage, upon a divorce for adultery. This matter had lain aſleep above an hundred years, till the preſent duke of Rutland, then lord Roos, moved for the like liberty. At that time a ſceptical and libertine ſpirit prevailed, ſo that ſome began to treat marriage, only as a civil contract, in which the parliament was at full liberty to make what laws they pleaſed; and moſt of king Charles's courtiers applauded this, hoping by this doctrine, that the king might be divorced from the queen. The greater part of the biſhops apprehending the conſequence the lord Roos's act might have, oppoſed every ſtep that was made in it; though many of them were perſuaded, that, in the caſe of adultery, when it was fully proved, a ſecond marriage might be allowed. In the duke of Norfolk's caſe, as the lady was a papiſt, and a buſy Jacobite, ſo a great party appeared for her. All that favoured the Jacobites, and thoſe who were thought engaged in lewd practices, eſpouſed her concern with a zeal that did themſelves little honour. Their number was ſuch, that no progreſs could be made in the bill, though the proofs were but too full, and too plain. But the main queſtion was, Whether, ſuppoſing the matter fully proved, the duke of Norfolk ſhould be allowed a ſecond marriage? The biſhops were deſired to deliver their opinions, with their reaſons: All thoſe who had been made during the preſent reign, were of opinion, that a ſecond marriage in that caſe was lawful, and conformable, both to the words of the goſpel, and to the doctrine of the primitive church; and that the contrary opinion was ſtarted in the late and dark ages: But all the biſhops, that had been made by the two former kings, were of another opinion, though ſome of them could not well tell why they were ſo. Here was a colour for men who looked at things ſuperficially, to obſerve that there was a difference of opinion between the laſt made biſhops, and thoſe of an elder ſtanding: From which they inferred, that we were departing from the received doctrine of our church; and, upon that topic, the earl of Rocheſter charged us very vehemently. The bill was let fall at this time. An Act paſſed this ſeſſions for continuing the old Eaſt-India company a corporation. The company finding that their friends prevailed in the houſe of commons, took the opportunity of getting a bill brought in their favour; which, notwithſtanding the oppoſition of the new company, and the en-

1700. a change of miniſtry. They began with inſinuating to the favourites the neceſſity of the king's removing the lord [illegible] mers, who, as he was now conſidered as the head of the whigs, ſo his wiſe counſels, and his modeſt way of [illegible] them before the king, had gained him a great ſhare of eſteem and confidence; and it was reckoned, that the ſtrength of the party lay in his credit with the king, and the prudent methods he took to govern the party, and moderate that heat and thoſe jealouſies, with which the king had been ſo long diſguſted in the firſt years of his reign. Every method had been tried for his removal. He had, in the firſt place, been particularly charged in the houſe of commons, for turning many gentlemen out of the commiſſion of the peace [f]. This was much aggravated, and raiſed a very high complaint againſt him; but there was no juſt cauſe for it: When the deſign of the aſſaſſination and invaſion, in the years 1695 and 1696, was diſcovered, a voluntary aſſoci-

Lord Sommers's removal, as well as that of the other miniſters, endeavoured by the tories. Burnet.

endeavours of the court, paſſed both houſes, and received the royal aſſent.

Another incident happened this ſeſſion. The Rev. Mr. Stephens, preaching before the houſe of commons, on the 30th of January, inſtead of aggravating, ſeemed to vindicate the putting king Charles to death, and endeavoured to perſuade his auditors, that the obſervation of that day ſhould be aboliſhed. This produced, inſtead of thanks, an order, That, for the future, no perſon ſhould preach before the houſe, that was not a dean or doctor of divinity.

[f] With a view to him, it was that a bill was ſet on in the houſe of commons, "qualifying juſtices of the peace;" and a committee appointed "to "inſpect the commiſſions of "the peace and commiſſions for "deputy-lieutenants, as they "now ſtand, and as they were "for ſeven years laſt paſt." This committee having made their report to the houſe, that not only many perſons diſſenting from the church of England, but men of ſmall fortunes, and who conſequently had an entire dependence on the court, were put into thoſe places, the commons on the 26th of March reſolved, "That an addreſs be "made to his majeſty, that it "would much conduce to the "ſervice of his majeſty and the "good of this kingdom, that "gentlemen of quality and good "eſtates be reſtored and put in-"to the commiſſions of the "peace and lieutenancy; and "that men of ſmall eſtates be "neither continued nor put in-"to the commiſſions." Which addreſs being preſented the king by the whole houſe, he told them, "That he was of opinion, "that men of the beſt quality "and eſtates were moſt proper "to be intruſted in the com-"miſſions of the peace and "lieutenancy; and that direc-"tions ſhould be given accord-"ingly."

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ation was entred into, by both houſes of parliament, and that was ſet round the nation: In ſuch a time of danger, it was thought, that thoſe, who did not enter voluntarily into it, were ſo ill affected, or at leaſt ſo little zealous for the king, that it was not fit they ſhould continue juſtices of the peace: So an order paſſed in council, that all thoſe, who had ſo refuſed, ſhould be turned out of the commiſſion: He had obeyed this order, upon the repreſentations made to him, by the lords lieutenants and the cuſtodes rotulorum of the ſeveral counties, who were not equally diſcreet: Yet he laid thoſe repreſentations before the council, and had a ſpecial order for every perſon that was ſo turned out. All this was now magnified, and it was charged on him, that he had adviſed and procured theſe orders; yet this could not be made ſo much as a colour to proceed againſt him, a clamour and murmuring was all that could be raiſed from it. This method not having produced any great effects, another had been tried. It had been endeavoured to raiſe a diſſatisfaction againſt him by appeals from many of his judgments, yet very few of them received alteration, and his character was raiſed inſtead of being hurt by theſe attacks [z]. After theſe and other methods of 1700.

[z] Among theſe appeals, one caſe in particular, commonly called the bankers caſe, which had given occaſion to clamour, becauſe of the extenſive conſequences following the determination in regard to the property of large numbers, was brought before the houſe of lords, the final reſort both in law and equity. It is well known in what manner king Charles had mortgaged the whole revenue of the crown to the bankers for an immenſe debt, and paid them intereſt at the rate of 8 per cent. while thoſe who intruſted the bankers, received only 6 per cent. In the year 1672, the Exchequer payments were ſtopped, and multitudes ruined. About five years after, he granted his letters patent to all perſons concerned for the annual penſion of 6 per cent. out of the hereditary exciſe, given by parliament inſtead of the wards and liveries 12 Ch. II. and upon the principal ſums due to them, on delivering up their ſecurities, and accepting proportionable aſſignments in ſatisfaction of their debts. The payments were made regularly by virtue of thoſe letters patent down to Lady-Day 1683, and then no more iſſued for the remainder of king Charles's reign, the whole reign of king James, and for three quarters of a year from after the Revolution, when a ſuit was inſtituted in the court of Exchequer, praying the aid of it to inforce the payment of the arrears and growing ſums, at the receipt, agreeable to the terms

1700. ſhaking lord Sommers's credit had failed, the [illegible] ſtudied to get it infuſed into the king, that all the [illegible]

terms of the letters patent. The two principal queſtions ſtated in the arguments were,

1. Whether the grants made by king Charles II. of the ſeveral annual ſums of the hereditary exciſe to the goldſmiths, their heirs and aſſigns, were effectual in law, and did charge this revenue, in time of his ſucceſſors.

2. Whether the remedy, purſued by the parties in the cauſe, was warranted by the law or courſe of the Exchequer? The chief baron and two others were of opinion with the bankers in both theſe points. Baron Lechmere differed in both.

Upon this judgment, a writ of error came before the lord keeper in the Exchequer chamber, who called the judges to his aſſiſtance. It was ſolemnly argued by each of them. And they all agreed as to the firſt, that the letters patent were binding in law: That the king has power to alien or charge thoſe revenues, of which he is ſeized in fee, without an act of parliament: That the cuſtom of exciſe was purchaſed by him, for a valuable conſideration, that is, accepted in lieu of the profits ariſing from the wards and liveries. As to the objection, that this power of alienating may be a prejudice to the people, the law entertains no ſuch diſhonourable thoughts of the king, as to ſuppoſe, he will act wrong in the things ſubmitted to his power. That the objection is repugnant to the conſtitution of the government. Suppoſe the realm ſhould be in preſent danger of invaſion, if the king could not raiſe money by alienating revenue, the nation muſt periſh: and therefore, kings of England have formerly borrowed ſeveral ſums of money, by mortgaging their lands. That it has been the conſtant uſage of our princes to reward deſerving miniſters out of the crown revenues, which proceeds on the great maxim, that reward is one of the main pillars of government. As to the diſtinction taken between alienating the antient demeſne lands derived to the king, either by deſcent or purchaſe, and this revenue of exciſe ſettled by parliament, and therefore unalienable, it was ſaid, the law reſtrained not the king from alienating any ſpecies of his revenue: That the land in antient demeſne ſeemed moſt appropriate to the king's uſe of all his revenues, becauſe they had ſeveral privileges relating to the king; as not to be impleaded out of the manor, to be free of toll for all things concerning their ſuſtenance and huſbandry, not to be impannelled on any inqueſt; and yet even theſe were alienable: Then what reaſon can be aſſigned, why ſome eſtates ſhould be alienedd, and ſome not? Why may not the king as well alien theſe eſtates, as they might formerly the flowers of his crown, a county palatine with royal rights. An eſtate, ſettled on a ſubject by act of parliament, is ſubject to his alienation, Why not

that had been of late put on him by the parliament, were 1700.
[illegible]tioned by the hatred that was born to his miniſters; and that,

not in the caſe of the king? It appears in fact, that all the monaſtery lands given by act of parliament, and that by general words, as in this law which ſettled the hereditary exciſe, were aliened by the king. So the cuſtoms have always been granted and charged in like manner, without controverſy. As to the objection that the exciſe was given inſtead of unalienable inheritances, as wards, liveries, and purveyances, it was ſaid, that it did not appear how the nature of one kind of inheritance could affect another: But even theſe were in effect alienable, becauſe they might have been releaſed, as were ſometimes ſervices in capite. That Forteſcue, de Laudibus Legum Angliæ, expreſsly diſcourſing of the reſtraints laid upon the crown, would not have omitted to mention the unalienable nature of the revenue, if this point had not been clearly admitted: Eſpecially as there were ſo many grants made in Henry VIth's time, and ſo many acts of reſumption, which are a demonſtration that thoſe grants could not be revoked but by act of parliament.

To the ſecond point, all the judges, except Treby, chief juſtice, and Lechmere, were of opinion, that the remedy was legal, and they relied intirely upon two precedents in Plowden's commentaries, ſir Tho. Wroth's caſe, and ſir H. Neville's caſe, in the Exchequer; upon which thoſe proceedings had been formed. The one was the demand of an annuity, granted to ſir Thomas Wroth by Henry VIII. out of the treaſury, in the hands of the treaſurer of the court of augmentations, under the ſeal of that court: The other, of a rent charge iſſuing out of the lands, ſubject to the ſurvey of the ſame court, and payable there. Judgment had been given for the parties in like manner, as in the preſent caſe.

My lord chief juſtice Treby applied himſelf to ſhew, that theſe two caſes were founded upon particular reaſons, and not upon the common law, or courſe of the Exchequer. By the ſtatute 27 Henry VIII. c. 27. all lands purchaſed, or to be purchaſed by Henry VIII. were put under the juriſdiction of that court; that the lands, in ſir H. Neville's caſe, came within this ſtatute; and by an act paſſed 1 Mary, and the queen's letters patent ſubſequent, this court and all its powers were united to that of the Exchequer. That it proceeded in a ſummary way, and partly in nature of a court of Equity.

Baron Lechmere ſaid in the Exchequer, that lord H[illegible]le had formerly declared, theſe precedents were not to be urged as precedents of the juriſdiction of the Exchequer, in things properly and originally of its own cognizance.

Lord chief juſtice Holt endeavoured to anſwer this reaſoning, firſt, by ſhewing, from a determination in Dyer, 4 Elizabeth, that the court of augmentations was never united to the

1700. that, if his majeſty would change hands, and [illegible] matters might be ſoftened and mended in another [illegible]

the Exchequer, and that queen Mary, ſubſequent to the act in the 1ſt of her reign, having by her letters patent of one day diſſolved that court, and, by her letters patent of the next, united the ſame to the Exchequer; the ſecond letters patent came too late, and were void. Conſequently, there was no acceſſion of power to the Exchequer, and the revenues of the court of augmentation fell naturally under its government; and, therefore, ſir Thomas Wroth, and ſir H. Neville, came to the court of Exchequer, as to an original court of revenue. Secondly, that, admitting it to be true, the court of augmentations was united, yet it did not appear, that the court of augmentations had any eſpecial powers, to give relief to grantees of annuities and rents; that the act, by which it was erected, made it a court of record and a court of revenue, to ſuch and ſuch lands: Whence it ſeemed to follow, that in the court of augmentations, as of wards and ſurveyors, ſuch relief was given by a right incident to it, as a court of revenue; and in imitation of what the Exchequer, the old court of revenue, could do before, by the common law.

Lord Sommers delivered his opinion in the month of June 1696, and confined his reaſonings intirely to the ſecond queſtion. He ſet himſelf very elaborately to ſhew, that the remedy purſued by the parties was illegal, and might be attended with the utmoſt danger to the diſpoſal of the [illegible] and treaſure [illegible] which the law [illegible] ſuperlative care, [illegible] the ſafety of the king and kingdom muſt in all ages depend. To the firſt argument of lord Holt, he anſwered, that the ſtatute 1 Mary, c. 10. did impower the queen to diſſolve the court of augmentations, and to unite the court ſo diſſolved, to that of the Exchequer by letters patent, both parts of which power ſhe literally purſued. That on a ſubject of philoſophy, or ſpeaking of the natural exiſtence of things, it would be abſurd to ſay, what is annihilated one day, ſhall have yet ſuch an exiſtence as to be united to any thing, the day following: But ſpeaking on a legal ſubject, where fictions and relations and concluſions have place, nothing could be of more eaſy or obvious conception. He ſaid, every thing ought to be expounded favourably in ſupport of the queen's intention, in following the expreſs directions of an act of parliament; and that the ſtatute 1 Elizabeth, c. 4. did fully and in terms, declare the validity of this union. To the ſecond he anſwered, both from undoubted maxims of law, and accurate deductions of precedents; he ſhewed, that anciently the barons of the Exchequer did at no time before the union of the courts of augmentations, and firſt fruits, both erected by Henry the VIIIth. give relief to grantees of rents or annuities in this manner, immediately upon application to them. That the party

With this the earl of Jerſey endeavoured to poſſeſs the earl of Albemarle; and the uneaſineſs the king was in, diſpoſed him 1700.

party uſed previouſly to apply to the king by petition of right, and the treaſurer and barons were authoriſed by the great or privy ſeal, or by ſpecial indorſement upon the petition, giving them power to examine into the demand; but even then their determination had no other effect than that of a certificate, nor could enforce the payment. The warrant for the payment, to be made at the receipt of the Exchequer, muſt be obtained from the king, under the great or privy ſeal. Therefore this juriſdiction could not be originally incident, in notion of law, to a court of revenue as ſuch. That the court of Exchequer, indeed, after the transfer of the powers of the court of augmentations and firſt fruits, did exercile them to the ſeveral purpoſes, and in reſpect of the lands, before under the ſurvey of thoſe courts: From whence the inference was plain, not that thoſe courts in exerciſing theſe powers purſued the courſe of the Exchequer, but the Exchequer, in taking a new courſe after the union, did act according to their manner, and ſupply their place. That, had it not been ſo, the erection of thoſe courts had been vain at firſt, becauſe the Exchequer could have done the buſineſs as well. He then ſhewed, in what manner Henry VIII. affecting power, and having great deſigns, endeavoured to get ſome parts of the revenue more immediately under his private and perſonal direction, than the old regular conſtitution of the Exchequer would allow. To that end, he procured acts of parliament in different years of his reign, erecting the court of general ſurveyors, the court of firſt fruits and tenths, and the court of augmentations. The firſt and laſt of theſe, in the 38th year of his reign, were incorporated; and, in the firſt of queen Mary, were annexed to the Exchequer. He proved that ſuch a juriſdiction, as that now contended for, was unknown to every author who had written on the court of Exchequer, unwarranted by the oath of the barons, by any authorities in the law books, by any records or ſtatutes. That it ſuppoſed a direct abſurdity in the conſtitution of the court, becauſe it inveſted them with a power of commanding their ſuperior officers: That to ſay they can command the treaſurer by their judgment, when that very judgment is under the review and correction of the treaſurer, who is co-ordinate in the Exchequer chamber with the lord chancellor, is a manifeſt inconſiſtency. He ſaid, it contradicted ſacred and received principles of law, 1. That no part of the king's treaſure can be iſſued, but by warrant under the great or privy ſeal; for which reaſon the law has placed ſuch a guard upon them, as to make the counterfeiting of them high treaſon. 2. That when once money is paid into the receipt of the Exchequer, no court has power to intermeddle with it. In the laſt place, he relied much on th inconvenience, no inconſiderable

1700. him to think, that, if he should bring in a set of [illegible] his business, they would serve him with the same [illegible]

siderable argument in law. That the barons of the Exchequer cannot, as such, be consultant of the necessities of the state; and though they were, and knew them to be ever so pressing, they can only act according to one rule; and, if the king's treasure must be issued by warrant under their seal, on the demand and application of the subject, a pension granted upon no consideration, or a very ill one, might perhaps be paid out of the money which ought to be employed, and possibly was provided by parliament, for setting out a fleet, resisting an invasion, or suppressing a rebellion. That to deny the king the power of ordering the payments out of his own coffers, was to deny him that which is in every subject's power. *It is to take from him the judgment of public necessities, or at least the means of relieving them.*

This argument of lord Sommers was printed in the year 1733, and is much admired for the inimitable elegance of the stile and method, and for its comprehension and learning. It may be added, that it is not only esteemed one of the finest performances in the law, but has satisfied very able lawyers of the legality of his judgment; so that the publication of it did as much justice to his integrity, as honour to his parts. It is said, that, in the making of it, the search of records and precedents cost him 700l. After this debate and consideration of the matter, he reversed the judgment of the court of Exchequer on his own opinion, supported by that of chief [illegible] Treby, who was one of the greatest men of his time, and baron Lechmere, who had been an able practiser in the Exchequer above sixty years, against the opinion of all the rest.

On the 6th of December 1699, there was an appeal from the determination to the house of lords, and, after hearing council, and the sentiments of the judges, a day was set apart for debating it. Lord Sommers, with his usual modesty and candour, opened his reasons to the house, and some lords, in an unprecedented manner, called upon Holt, chief justice, to answer him, though a peer of their own body, and chancellor. But Sommers, not daunted by that peculiar circumstance, replied upon Holt with great spirit and energy. The judgment however was reversed on the 23d of January, and a protest entered. No liberate or warrant for payment issued upon this reversal; but in the same session an act passed to apply the revenue of excise, as a security for 820,000l. and a weekly payment of 3,700l. to the civil list, on account of the necessity of affairs, subject [illegible] time, to the charge of an annual payment of three per cent. on the whole principal [illegible] bankers, from and after the 26th of December [illegible] which

prin-

with better ſucceſs, than the whigs had done; and he hoped to ſhew all upon the miniſters, that were now to be diſmiſſed. 1700.

The firſt time that the lord Sommers recovered ſo much health as to come to court, the king told him, That it ſeemed neceſſary for his ſervice, that he ſhould part with the ſeals; and he wiſhed, that he would make the delivering them up his own act. Upon this, the lord Sommers took the liberty to ſpeak freely to the king, in words to this effect: That he very well knew what his enemies aimed at, by their abuſing and perſecuting him as they had of late done: The ſeal was his greateſt crime; and, if he quitted that, he ſhould be forgiven; but, knowing what ill uſe would be made of it, if it were put into their hands, he was reſolved, with his majeſty's permiſſion, to keep it in defiance of their malice, and to ſtand all the trials they ſhould put upon him, with the ſupport of his innocence, and the hopes of being ſerviceable to his majeſty: He feared them not; and did not doubt, but, if his majeſty would be as firm to his friends as they would be to him, they ſhould be able to carry whatever points he had in view for the public welfare, in a new parliament. The king ſhook his head a little, as a ſign of his diffidence, and only ſaid, "It muſt be ſo [a]." However, the lord Sommers perſiſted in refuſing to deliver up the ſeals as his own act. All his friends had preſſed him not to offer them, ſince that ſeemed to ſhew fear or guilt. He begged therefore the king's pardon, if in this he followed their advice; but he told his majeſty, whenever he ſhould ſend a warrant under his hand, commanding him to deliver them up, he would immediately obey it. The order was accordingly brought by lord Jerſey on the 17th of April 1700, and upon it the ſeals were ſent to the king. Thus the lord Sommers was diſcharged from this great office, which he had held ſeven years with a high reputation for capacity, integrity, and diligence. His being thus removed was much cenſured Lord Sommers is turned out.

principal was made redeemable on payment of a moiety. This caſe, in reſpect of the unhappy perſons who had intruſted the money, deſſion, with to treat it the bankers and extorcrown, and the iniquitous extravagance of king Charles's court had been the ſource of the calamity. 5 Mod. Rep. p. 29. Lord Sommers's argument in the Banker's caſe, p. 19.

[a] A gentleman, who had this from the lord Sommers's own mouth, told it to Mr. Oldmixon.

1700. by all, but thoſe who procured it. Our prince did not to diſmiſs miniſters, who ſerved them well, unleſs preſſed to it by a houſe of common, that refuſed to give money, till they were laid aſide. But here a minister was always vindicated by a great majority in the house of commons, when he was charged there, and who had served both with fidelity and ſucceſs, and was indeed cenſured for nothing ſo much as for his being compliant with the King's humour and notions, or at leaſt for being too ſoft or too liable in repreſenting his errors to him, was removed without a ſhadow of complaint againſt him. This was done with ſo much haſte, that thoſe, who had prevailed with the king to do it, had not yet concerted, who ſhould ſucceed him. They thought, that all the great men of the law were aſpiring to that high poſt, ſo that any one, to whom it ſhould be offered, would certainly accept it; but they ſoon found they were miſtaken; for, what by reaſon of the inſtability of the court, what by reaſon of the juſt apprehenſions men might have of ſucceeding ſo great a man, both the lord chief juſtice Holt [b], and the attorney general Trevor, to whom the ſeals were offered, excuſed themſelves. It was term time, ſo that a vacancy in that poſt put things in ſome confuſion. A temporary commiſſion was granted to the three chief judges, to ſit in the court of Chancery; and, on the 21ſt of May, the ſeals were at laſt given, with the title of lord-keeper, to ſir Nathan Wright, one of the king's ſerjeants at law, in whom there was nothing equal to the poſt, much leſs to him, who had lately filled it. The king's inclinations ſeemed now turned to the tories, and to a new parliament. It was for ſome time in the dark, who had the confidence, and gave directions to affairs; and thoſe, who looked on, were often diſpoſed to think, that there was no direction at all, but that every thing was left to take its courſe, and that all was given up to hazard.

Affairs of Scotland. Burnet.

Beſides the affairs of England, the remonſtrances of the Scots India company extremely perplexed the king. Upon news of their ill ſucceſs at Darien, for want of aſſiſtance from the Engliſh plantations, a petition for a preſent ſeſſion of

[b] Mr. P[illegible]ior, in a letter to the [illegible] of Mancheſter, dated at [illegible]mpton Court, May 2, 1700, [illegible] printed among Mr. Cole's [illegible]emoirs, p. 128, ſays thus: [illegible]y lord chief juſtice Holt, having been here to-day, and with the king in private, has given people occaſion to ſay, that he has refuſed the ſeals. If it be ſo or not, I cannot ſay; but as yet the ſeals are not diſpoſed [illegible]

of parliament was immediately ſent about the kingdom, and was ſigned by many thouſands. This was ſent up by ſome of the chief of their nobility, whom the king received very coldly: Yet a ſeſſion of parliament was granted them, to which the duke of Queenſbury was ſent down commiſſioner. Great pains were taken, by all ſorts of practices, to be ſure of a majority; great offers were made them in order to lay the diſcontents, which ran then very high; a law for a Habeas Corpus, with a great freedom for trade, and every thing, that they could demand, was offered, to perſuade them to deſiſt, from purſuing the deſign upon Darien. The court had tried to get the parliament of England to interpoſe in that matter, and to declare themſelves againſt that undertaking. The houſe of lords was prevailed on to make an addreſs to the king, repreſenting the ill effects that they apprehended from that ſettlement: But this did not ſignify much, for, as it was carried in that houſe by a ſmall majority of ſeven or eight, ſo it was laid aſide by the commons. Some were not ill pleaſed to ſee the king's affairs run into an embroilment; and others did apprehend, that there was a deſign to involve the two kingdoms in a national quarrel, that, by ſuch an artifice, a greater army might be raiſed; ſo they let the matter fall. Nor would they give entertainment to a bill which the lords paſſed, and ſent up to them about the union of the two nations, under the title of a bill, "for authorizing "certain commiſſioners of the realm of England to treat "with the commiſſioners of Scotland, for the weal of both "kingdoms." To this bill the commons refuſed to give their concurrence. The managers in that houſe, who oppoſed the court, reſolved to do nothing that ſhould provoke Scotland, or take off from the king any part of the blame and diſcontent, which foured that nation [c]. On the contrary, 1700.

[c] However, ſome time before a complaint was made to the houſe of commons of a printed book, intitled, An inquiry into the cauſes of the miſcarriage of the Scots colony at Darien, and the houſe, having examined the ſaid book, reſolved, "That it, highly reflecting on "the honour of his majeſty, "and both houſes of parliament, and tending to create "jealouſies and animoſities between the two kingdoms of "England and Scotland, was a "falſe, ſcandalous, and traiterous libel;" ordered it to be burnt by the hands of the common hangman, and addreſſed to his majeſty to iſſue out his royal proclamation, for the diſcovering and apprehending the author, printer, and publiſher of the ſaid libel: Which proclamation was publiſhed accordingly.

1700. it was given out, in order to raise the national d[illegible] higher, that the opposition, which the king gave t[illegible] colony, flowed neither from a regard to the in[illegible] England, nor to the treaties with Spain, but from [illegible] the Dutch, who from Curaçoa carried on a coast[illegible] among the Spanish Plantations with great advantage [illegible] it was said, the Scots colony, if once well settle[illegible] draw wholly from them. These things were sent about Scotland with great industry. The management was chiefly in the hands of Jacobites. Neither the king nor his ministers were treated with the decencies, that are sometimes observed, even after subjects have run to arms. The keenest of their rage was pointed at the king himself. Next him the earl of Portland, who had still the direction of their affairs, had a large share in it. In the session of the Scotch parliament, in order to make the affair of Darien a national concern, it was voted, "That the colony of Caledonia in "Darien was a legal and rightful settlement, and that the "parliament would maintain and support the same." Upon that, the session was for some time discontinued. When the news of the total abandoning of Darien was brought over, it cannot be well expressed, into how bad a temper this cast the body of that people. They had now lost almost two hundred thousand pounds sterling upon this project, besides all the imaginary treasure, which they had promised themselves from it. The nation was therefore raised into a sort of fury upon it; and, in the first heat, an address was sent about the kingdom for hands, representing to the king the necessity of a present sitting of the parliament, which was drawn in so high a strain, as if they resolved to pursue the effects of it, by an armed force. It was signed by a great majority of the members of parliament, and the ferment in men's spirits was so raised, that few thought it could have been curbed, without breaking forth into great extremities [a].

This

[a] In this address they complained, "of their having been "interrupted by a sudden adjournment, while they were "debating a motion concerning "their colony at Darien, which "they conceived was not agreeable to the 40th act of the "11th parliament of king James "VI. wherein it is enacted," That nothing should be done or commanded, which might directly or indirectly prejudice the liberty of free [illegible] and reasoning of the es[illegible] "That, by a [illegible] "ment of tw[illegible] "liament w[illegible] "come to a[illegible] "pressing concerns of the na-"tion,

addreſs being preſented to the king by the lord Roſs, 1700.
with ſome others, was deputed by the parliament for
that purpoſe, his majeſty told them, "That he could give June 11.
"no anſwer at that time to their petition, but they ſhould
"know his intentions in Scotland."

The addreſſers, finding that the parliament was further adjourned by proclamation, and not knowing how ſoon it might be allowed to ſit, framed the draught of a ſecond national addreſs, to be ſigned by the ſeveral ſhires and boroughs throughout the kingdom: but, while the ſame was carrying on, his majeſty writ a letter, directed to the duke of Queenſbury, and the privy council, which letter was publiſhed in the manner of a proclamation, and wherein the king declared, "That, if it had been poſſible for him to have agreed to the "reſolve offered to aſſert the right of the African company's "colony in America, though that method ſeemed to him un-"neceſſary, yet his majeſty had from the beginning readily "done it, at the earneſt deſires of his miniſters, and for his "people's ſatisfaction, all other conſiderations ſet apart; "but, ſince that things were much changed, his majeſty "being truly ſorry for the nation's loſs, and moſt willing to "grant what might be needful for the relief and eaſe of the "kingdom, he aſſured them, that he would be ſo ready to "concur with his parliament, in every thing that could be "reaſonably expected of him, for aiding and ſupporting their "intereſts, and repairing their loſſes, that his good ſubjects "ſhould have juſt grounds to be ſenſible of his hearty in-"clinations to advance the wealth and proſperity of that his "majeſty's ancient kingdom. That his majeſty was confi-"dent, that that declaration would be ſatisfying to all good "men, who would certainly be careful both of their own "preſervation, and of the honour and intereſt of the govern-"ment, and not to ſuffer themſelves to be miſled, nor give "any advantage to enemies and ill deſigning perſons, ready "to catch hold of any opportunity, as their practices did "too manifeſtly witneſs. Concluding, That his majeſty's

"tion, which they could not members. "Wherefore they ea-
"with that ar- "neſtly intreated his majeſty,
"claim of right, "that he would be pleaſed to al-
"was declared," "low his parliament to meet on
"redreſs of all griev- "the day to which it was then ad-
"ening and preſerv- "journed; and to ſit as long as
"laws, parliaments "might be neceſſary for redreſ-
"quently called and "ing the grievances of the na-
"and the freedom of "tion.
ſpeech and debate ſecured to the

1700. "neceſſary abſence had occaſioned the late adjournment, "but, as ſoon as God ſhould bring him back, he was [illegible] "reſolved his parliament ſhould meet."

A ſecond treaty of partition. Burnet. Cole's memoirs.

While the parliament was ſitting, there was a ſecond treaty of partition concluded between England, France and Holland. The former treaty, made in favour of the electoral prince of Bavaria, was entirely defeated by his death. That young prince ſeemed marked out for great things, and had all the promiſing beginnings that could be expected in a child of ſeven years old, when he fell ſick, and was carried off the third or fourth day of his illneſs; ſo uncertain are all the proſpects, and all the hopes this world can give. Now the dauphin and the emperor were to diſpute, or to divide this ſucceſſion between them; ſo a new treaty was ſet on foot: it was generally given out, and too eaſily believed, that the king of France was grown weary of war, and was reſolved to paſs the reſt of his days in peace and quiet; but that he could not conſent to the exaltation of the houſe of Auſtria; yet, if that houſe was ſet aſide, he would yield up the dauphin's pretenſions; and ſo the duke of Savoy was much talked of, but it was with the proſpect of having his hereditary dominions yielded up to the crown of France: but this great matter came to another digeſtion a few months after.

Feb. 6. 1699. N. S.

The king and the ſtates-general ſaw the danger, to which they would be expoſed, if they ſhould engage in a new war, while the nation was yet under the vaſt debts that the former had brought upon it. The king's miniſters in the houſe of commons aſſured him, that it would be a very difficult thing to bring them to enter into a new war for maintaining the rights of the houſe of Auſtria. During the debates concerning the army, when ſome mentioned the danger of that monarchy falling into the hands of a prince of the houſe of Bourbon, it was ſet up for a maxim, that it would be of no conſequence to the affairs of Europe, who was king of Spain, whether a Frenchman or a German; and that, as ſoon as the ſucceſſor ſhould come within Spain, he would become a true Spaniard, and be governed by the maxims and intereſts of that crown; ſo that there was no proſpect of being able to infuſe into the nation an apprehenſion of the conſequence of that ſucceſſion. The emperor had a very good claim; but, as he had little ſtrength to ſupport it by land, ſo he had none at all by ſea; and his treaſure was quite exhauſted by his long war with the Turks. The French drew a great force towards the frontiers of Spain, and they were reſolved to march into it upon that king's death. There

was no ſtrength to oppoſe them, yet they ſeemed willing to compound the matter. But they ſaid, the conſideration muſt be very valuable, that could make them deſiſt from ſo great a pretenſion; and both the king and the ſtates thought it was a good bargain, if, by yielding up ſome of the leſs important branches of that monarchy, they could ſave thoſe in which they were moſt concerned, which were Spain itſelf, the Weſt-Indies, and the Netherlands. The French ſeemed willing to accept of the dominions in and about Italy, with a part of the kingdom of Navarre; and to yield up the reſt to the emperor's ſecond ſon, the archduke Charles. The emperor entered into the treaty, for he ſaw he could not hope to carry the whole ſucceſſion intire; but he preſſed to have the duchy of Milan added to his hereditary dominions in Germany. The expedient that the king propoſed, was, that the duke of Lorrain ſhould have the duchy of Milan, and that France ſhould accept of Lorrain inſtead of it. He was the emperor's nephew, and would be intirely in his intereſts. The emperor did not agree to this, but yet he preſſed the king not to give over the treaty, but to try if he could make a better bargain for him; and above all things recommended ſecrecy; for he well knew how much the Spaniards would be offended, if any treaty ſhould be owned, that might bring on a diſmembering of their monarchy. For, though they were taking no care to preſerve it in whole or in part, yet they could not bear the having any branch torn from it. The king reckoned, that the emperor, with the other princes of Italy, might have ſo much intereſt in Rome, as to ſtop the pope's giving the inveſtiture of the kingdom of Naples; and, which way ſoever that matter might end, it would oblige the pope to ſhew great partiality, either to the houſe of Auſtria, or the houſe of Bourbon; which might occaſion a breach among them, with other conſequences, that might be very happy to the whole proteſtant intereſt. Any war that might follow in Italy, would be at a great diſtance from us, and in a country that we had no reaſon to regard much: beſides that, the fleets of England and Holland muſt come, in concluſion, to be arbiters of the matter. 1700.

These were the king's ſecret motives for entering into the treaty; moſt of which he communicated to biſhop Burnet. Accordingly the treaty was ſigned at London and the Hague; the Engliſh plenipotentiaries being the earls of Portland and Jerſey. By this treaty that of Ryſwick was ſolemnly confirmed; and, in caſe his catholic majeſty ſhould die without children, the dauphin was to have, for himſelf and his heirs, Feb. 21. Mar. 25. 1700. N. S.

the

1700. the kingdoms of Naples and Sicily, and also [illegible] the Italian coast belonging to Spain, namely, [illegible] Porto Hercole, Orbitello, Talamone, Porto [illegible] Piombino, the city and marquisate of Final, [illegible] vince of Guipuscoa. The dauphin was likewise to have the duchies of Lorrain and Bar; and the duchy of [illegible] be given to the duke of Lorrain and his heirs, in lieu of Lorrain and Bar; but the county of Bitche was to remain in sovereignty to the prince of Vaudemont. The archduke Charles was to have, for himself and his heirs, the kingdom of Spain, and all that belonged to it, in and out of Europe. The emperor was to have three months time given him to come into this treaty: and, in case the archduke should die without children, the succession was to go to some other child of the emperor, to whom he should be pleased to give it, except him, who should be emperor or king of the Romans: and this part of the monarchy of Spain was also never to go to the prince who should be either king of France, or dauphin [b]. What reception this treaty met with from the princes

[b] The secret article of this treaty, inserted by Mr. Cole, in his Memoirs of the Affairs of State, p. 113. was as follows:

"His Britannic majesty, his "most christian majesty, and "the lords the states-general, "having a desire to prevent a "war, which might be occa- "sioned by the death of the "king of Spain without chil- "dren, have agreed on a treaty "about the succession; which "was signed at London the 21st "of February, O. S. and at "the Hague the 25th of March, "1700, N. S. And, as it is "said in the fourth article of "the said treaty, That the "duchies of Lorrain and Bar "shall be yielded to the dau- "phin, in exchange for the "duchy of Milan, which should "be given to the duke of Lor- "rain; and, as the two kings "and the states general think "that nothing is more proper "for the ends proposed, they "will make use of all their in- "terests, either jointly or se- "parately, to engage the said "duke of Lorrain to consent "to it.

"But, as it is necessary to "determine who shall be the "prince, to whom the duchy "of Milan shall be committed, "and what shall be given to the "Dauphin for reparation, in "the room of the duchies of "Lorrain and Bar, if, against "all likelihood, the duke of "Lorrain would not give his "consent to this exchange, not- "withstanding the good offi- "ces and continual applications "repeated, during the life of "the king of Spain, or to the "time hereunder agreed to, "after his death; the said two "kings and the states-general, "above named, have agreed "that, in that case, his Bri- "tannic majesty and the states-

"ge-

princes and ſtates, to whom it was offered, will hereafter be 1700.
[illegible]d alſo what a moſt perfidious uſe of it was made by

" general ſhall chuſe one of " theſe alternatives, at the end " of the ſaid term, after the " death of his catholic majeſty, " that is, to conſign the duchy " of Milan into the hands of " the elector of Bavaria, to en- " joy it for him, his children " males or females, his heirs, " ſucceſſors and deſcendants " males or females, born, or to " be born, for ever, in intire " property, and full poſſeſſion; " ordering, in exchange, Na- " varre to the dauphin, to enjoy " it, he and his children, males " and females; his heirs, ſuc- " ceſſors, or deſcendants, born, " and to be born, in intire pro- " perty, and full poſſeſſion; or, " inſtead of Navarre, the city " and duchy of Luxemburg, and " the county of Chiny. Or elſe " to give the duchy of Milan to " the duke of Savoy, to enjoy " it, for his children, males and " females, his heirs, ſucceſſors, " and deſcendants, males, or " females, born, and to be born " in intire property and full " poſſeſſion; ordering, in ex- " change, for the ſhare of the " dauphin, the city of Nice, " the valley of Barcelonetta, " and the duchy of Savoy, " to enjoy it in perpetuity, " and full poſſeſſion, he, his " children, heirs, ſucceſſors, " and deſcendants, males, or " females, born, and to be " born.

" Moreover, the two kings, " and the ſtates-general have " agreed by this ſecret article, " that, though it is not ſaid in " the ſeventh article of the ſaid " treaty, ſigned at London the " 21ſt of February, and at the " Hague the 25th of March " 1700, that a prince ſhall be " agreed on, to whom the ſaid " portion of the moſt ſerene " archduke ſhall be given, in " caſe the emperor and the " king of the Romans will not " ſubſcribe to the ſaid treaty af- " ter the term of three months " ſhall be expired, to be count- " ed from the day on which it " ſhall be notified to him: Ne- " vertheleſs, the emperor ſhall " be allowed to ſubſcribe, " during two months, to be " reckoned from the day on " which the death of his catho- " lick majeſty ſhall be made " known to him by his Britan- " nic majeſty, his moſt chriſtian " majeſty, and the lords the " ſtates-general. But, in caſe " his imperial majeſty refuſes " to enter into it in the time " above-named, the two kings " and the ſtates-general ſhall " agree, at the end of the time " above-appointed, on a prince, " to whom the ſaid portion " ſhall be given, and the re- " mainder of what is in the ſaid " ſeventh article, from which " what is aboveſaid does not " derogate, ſhall be punctually " executed.

It is further agreed, that, if " the moſt ſerene archduke " ſhould go into Spain, or enter " into the duchy of Milan, " though it is ſaid in the eighth " article of the ſaid treaty, to " which this ſecret article re- " fers, that he cannot go thither " before the death of his catho-

" lic

1700. by the French, to alienate the Spaniards from their [illegible] and obtain a will in favour of the duke of [illegible], [illegible] both the French king and dauphin had bound themselves [illegible] to accept any will, testament, or donation, contrary to the treaty: the original of which, signed by the dauphin, [illegible] Burnet had in his hands. No mention was made of the treaty, during the session of parliament; for, though the king was generally believed, yet, as it was not publickly owned, no notice could be taken of bare reports, and nothing was to be done, in pursuance of this treaty, during the king of Spain's life.

Honours and promotions.

The king, that he might give some content to the nation, stayed at Hampton-Court till July, before he went abroad. On the 14th of May, he bestowed the garter on the earl of Albemarle; which, 'tis pretended, gave great offence. The same honour was also conferred on the earl of Pembroke, lord president of the council. Towards the latter end of June, the earl of Jersey was made chamberlain of the houshold; which had been some time vacant, by the duke of Shrewsbury's resignation. The earl of Romney was made groom of the stole, and the earl of Carlisle one of the lords of the bed-chamber. Soon after this the king, having nominated the lords justices to govern in his absence [c], set out for Holland.

The king goes to Holland. July 4.

" lic majesty, but by the common consent of the two kings and the states-general; his Britannic majesty and the states-general engage themselves to use all their possible endeavours and might, and even to come to acts of hostility, if it be necessary: In short, to take all convenient measures, in concert with his most christian majesty, to oblige his catholick majesty and the Spaniards, to send him back out of Spain, or out of the duchy of Milan, without any delay.

" This article shall have the same force as if it had been, word for word, inserted in the treaty, to which it refers, and shall be enregistered by the parliament of Paris, immediately after the death of his catholic majesty without children."

[c] Namely, the archbishop of Canterbury;

Sir Nathan Wright, lord-keeper;

The earl of Pembroke, lord-president of the council;

Viscount Lonsdale, lord privy-seal;

The duke of Devonshire, lord-steward;

The earl of Bridgwater, first commissioner of the admiralty;

The earl of Marlborough, governor of his highness the duke of Gloucester;

And the earl of Tankerville, first commissioner of the treasury.

About

About three weeks after his arrival there, he received the surprising and melancholy news of the death of the duke of Gloucester, which was in a great measure occasioned by the solemnity of his birth-day, on the 24th of July. After the ceremony was over, the duke found himself fatigued and indisposed, and the next day he was very sick, and complained of his throat. The third day he was hot and feverish. Next morning, after bleeding, he thought himself better; but in the evening, his fever appearing more violent, a blister was applied to him, and other proper remedies administred. The same day a rash appeared on his skin, which increasing the next day, more blisters were laid on. In the afternoon the fever growing stronger, his highness fell into a delirium, which continued till his death. He passed the night, as he did the preceding, in short broken sleeps and incoherent talk. On the 29th, the blisters having taken effect, and the pulse mending, the physicians who attended him, thought it probable, that he might recover; but about eleven at night, he was on a sudden seized with a difficult breathing, and could swallow nothing; so that he expired before midnight, being ten years and five days old. He was the only remaining child of seventeen, whom the princess of Denmark had born, some to the full time, and the rest before it. She attended him, during his sickness, with great tenderness, but with a grave composedness, that amazed all who saw it; and she bore his death with a resignation and piety, that were indeed very singular. Bishop Burnet had been trusted with his education now two years, and the duke had made an amazing progress. He had read over part of the scriptures with him, and had explained things, that fell in his way, very copiously, and was often surprized with his questions, and the reflections that he made. He came to understand things relating to religion beyond imagination. The bishop went through geography so often with him, that he knew all the maps very particularly. He explained to him the forms of government in every country, with the interest and trade of that country, and what was both good and bad in it; and acquainted him with all the great revolutions, that had been in the world, and gave him a large account of the Greek and Roman histories, and of Plutarch's lives. The last thing the bishop explained to him was the Gothic constitution, and the beneficiary and feudal laws. He talked to his highness of these things at different times near three hours a day. This was both easy and delightful to him. The king ordered five of his chief ministers to come once a quarter, and examine the progress he made; and they seemed amazed both

1700.

Death of the duke of Gloucester.

July 29 Kennet. Burnet.

1700. both at his knowledge, and the good underſtanding that ſeemed appeared in him; for he had a wonderful memory, and very good judgment. His death gave a great alarm to the whole nation. The jacobites grew inſolent upon it, and ſaid, that now the chief difficulty was removed out of the way of the prince of Wales's ſucceſſion.

Soon after this, the houſe of Brunſwick returned the viſit, which the king had made them laſt year, and the eyes of all the proteſtants in the nation turned towards the electress dowager of Hanover, who was daughter of the queen of Bohemia, and the next proteſtant heir, all papiſts being already excluded from the ſucceſſion. Thus of the four lives, that the nation had in view, as their chief ſecurity, the queen and the duke of Glouceſter were carried off on the ſudden; and of the two that remained, the king and the princeſs of Denmark, as there was no iſſue, and little hopes of any by either of them, ſo the king, who at laſt was a man of a feeble conſtitution, was now falling under an ill habit of body; his legs being much ſwelled, which ſome thought was the beginning of a dropſy, while others thought it was only a ſcorbutic diſtemper.

The temper of the nation.

The ſtate of things at that time gave a melancholy proſpect. The nation was falling under a general diſcontent and a diſlike of the king's government. And the king, on his part, ſeemed to grow weary of them, and their affairs; and, partly by the fret from the oppoſition he had of late met with, partly from his ill health, he was falling, as it were, into a lethargy of mind. The adminiſtration of the government was now almoſt wholly engroſſed by the houſe of commons, who muſt ſit once a year, and as long as they thought fit, while the king had only the civil liſt for life. The act for triennial parliaments kept up a ſtanding faction in every county and town of England; while luxury, vanity, and ambition, increaſed daily; and animoſities were come to ſuch a height, as to afford diſmal apprehenſions. Few ſeemed to have a right notion of the love of their country, and of a zeal for the good of the publick. The houſe of commons, how much ſoever its power was advanced, yet was much ſunk in its credit; very little of gravity, order, or common decency appeared among them. The balance lay chiefly in the houſe of lords, who had no natural ſtrength to reſiſt the commons.

A war raiſed againſt the king of Sweden.

A league had been formed in the north against the young king of Sweden, and invade his dominions on all ſides at once. The elector of Brandenburgh was

rania, and the king of Denmark to attack Holſtein, whilſt the king of Poland invaded Livonia, which was antiently a fief of the crown of Poland. The miniſter of Sweden, before the king went abroad, preſſed him to make good his engagements with that crown. For, purſuant to the league, the Poles were now beſieging Riga. The firſt attempt of carrying the place by ſurprize miſcarried. Thoſe of Riga were either over-awed by the Swediſh garriſon that commanded there, or they apprehended, that the change of maſters would not change their condition, unleſs it were for the worſe; for which reaſon they made a greater ſtand than was expected, and, in a ſiege of above eight months, very little progreſs was made. The firmneſs of that place made the reſt of Livonia continue fixed to the Swedes. The Saxons made great waſte in the country, and ruined the trade of Riga. The king of Sweden, being obliged to employ his main force elſewhere, was not able to lend them any conſiderable aſſiſtance. The elector of Brandenburgh lay quiet without making any attempt; as likewiſe did the princes of Heſſe and Wolfembuttle. The two ſcenes of action were in Holſtein, and before Copenhagen. The king of Denmark found the taking the forts that had been raiſed by the duke of Holſtein, an eaſy work; they were ſoon carried and demoliſhed [d]. He beſieged Toninghen next, which held him longer. Upon the Swedes demand of the auxiliary fleets, that were ſtipulated both by the king and the ſtates, orders were given for equipping them in England, and likewiſe in Holland. The king was not willing to communicate this deſign to the two houſes, and try if the houſe of commons would take upon themſelves the expence of the fleet. They were in ſo bad a humour, that the king apprehended, that ſome of them might endeavour to put an affront upon him, and oppoſe the ſending a fleet into the Sound; though others adviſed the venturing on this, ſince no nation can ſubſiſt without alliances ſacredly obſerved. And this was an antient one, lately renewed by the king; ſo that an oppoſition, in ſuch a point, muſt have turned to the prejudice of thoſe who ſhould move it. Soon after the end of the ſeſſion, a fleet of thirty ſhips Engliſh and Dutch was ſent to 1700.

[d] The old king of Denmark dying about the end of the ſummer 1699, the duke of Holſtein (who had married the king of Sweden's ſiſter, and depending on aſſiſtance from thence) had built ſome new forts in that duchy. This the young king of Denmark complained of, as contrary to the "condominium," which he and the duke have in that duchy; ſo entered into the league againſt Holſtein and Sweden.

the

1700. the Baltic, commanded by ſir George Rooke, which arrived in the Sound on the 20th of July. The Danes had a good fleet at ſea, much ſuperior to the Swedes, and almoſt equal to the fleet ſent from hence. But, as it was their whole ſtrength, they would not run the hazard of loſing it. They kept at ſea for ſome time, having got between the Swedes and the fleet of their allies, and ſtudied to hinder their conjunction. When they ſaw that could not be done, they retired, and ſecured themſelves within the port of Copenhagen, which is a very ſtrong one. The Swedes, with their allies, came before that town, and bombarded it for ſome days, but with little damage to the place, and none to the fleet. The duke of Lunenburgh, together with the forces, that the Swedes had at Bremen, paſſed the Elbe, and marched to the aſſiſtance of the duke of Holſtein. This obliged the Danes to raiſe the ſiege of Toningher, and the two armies lay in view of one another for ſome weeks, without coming to any action. Another deſign of the Danes alſo miſcarried. A body of Saxons broke into the territories of the duke of Brunſwick, in hopes to force their army to come back to the defence of their own country: but the duke of Zell had left things in ſo good order, that the Saxons were beat back, and all the booty, that they had taken, was recovered.

Peace between Sweden and Denmark.

In the mean time king William offered his mediation, and a treaty was ſet on foot; and, as he did not approve of ſir George Rooke's bombardment of Copenhagen, ſoon after he had received the news of it, he directed Mr. Blaithwayte to write to that admiral from Loo, not to commit any further hoſtilities againſt the town or ſhipping. The king of Denmark propoſed, that the king of Poland might be included in the treaty, but the Swedes refuſed it; and, as the king was not guarantee of the treaties between Sweden and Poland, ſo he was not obliged to take care of the king of Poland. The treaty proceeding but ſlowly, this made the king of Sweden apprehend, that he ſhould loſe the ſeaſon, and be forced to abandon Riga, which began to be ſtraitned; and therefore, to quicken the treaty, he reſolved on a deſcent in the iſle of Zealand. This was executed without any oppoſition, the king of Sweden conducting it in perſon, and being the firſt who landed. He ſhewed ſuch ſpirit and courage in his whole conduct, as raiſed his character very high. It ſtruck a terror through all Denmark; for now the Swedes reſolved to beſiege Copenhagen. This brought the treaty to a concluſion between Denmark, Sweden, and Holſtein, about the middle of Auguſt. The old treaties were renewed, and a li-

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